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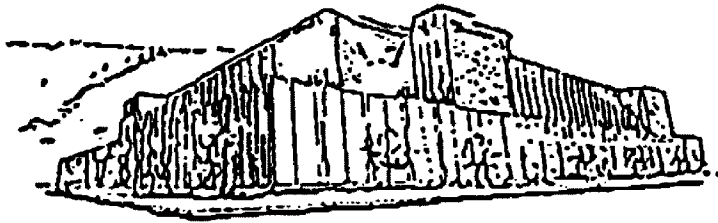
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**"With All Deliberate Speed": The NAACP and the Implementation of
Brown v. Board of Education at the Local Level,
Little Rock, Arkansas**

by

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B.A. The College of William and Mary, 1994

presented in partial fulfillment of the requirements

for the degree of

Master of Arts

The University of Montana

1997

Approved by:


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"With All Deliberate Speed": The NAACP and the Implementation of *Brown v. Board of Education* at the Local Level, Little Rock, Arkansas

Director: Michael S. Mayer, Ph.D. *MSM/ma*

The National Association for the Advancement of Colored People (NAACP) began implementing the Supreme Court's historic *Brown v. Board of Education* ruling in 1954. The implementation procedure was carefully orchestrated by the NAACP's National Office, based in New York City. The Association's southern branches fought physical, economic, and psychological reprisals to successfully bring about school desegregation. Events between 1954 and actual desegregation varied from community to community, but all contained important similarities. The story of Little Rock from 1954-1957 provides an excellent look at the NAACP and its post-*Brown* desegregation efforts.

In the beginning, events in Little Rock favored the NAACP. A liberal southern town, Little Rock contained a business class that recognized the economic importance of good race relations, an experienced and competent school Superintendent, and a progressive image that its residents coveted. Most citizens opposed school desegregation, but they favored complying with *Brown* as the law of the land. However, the board successfully resisted desegregation for the first two years, and southern segregationists grew in strength. In September, 1957, Governor Orval Faubus ordered National Guard troops to refuse any black students entrance into Central High, the school Little Rock chose for desegregation.

The local NAACP was initially optimistic about the city's dedication to providing integrated schools. Within eighteen months, however, the branch realized Superintendent Blossom's reluctance to implementing the Supreme Court decision, and it filed suit in Federal Court to force compliance. The branch lost the initial suit, partly because of disagreements with the National Office attorney that assisted it. The branch lost the appeal in the spring of 1957, but desegregation was set for the fall. After Governor Faubus' actions the branch demanded and worked to achieve compliance with the Federal Court. On September 25, President Eisenhower ordered the 101st Airborne to escort nine Little Rock blacks into the halls of Central High.

"With All Deliberate Speed": The NAACP and the Implementation of *Brown v. Board of Education* at the Local Level, Little Rock, Arkansas

"Although newspapers, periodicals, and, more recently, several books have given a fairly adequate background of the Little Rock school-integration crisis, they have thrown only limited light on the part played by the local branch of the National Association for the Advancement of Colored People (NAACP)."¹

Introduction

Not enough attention has been paid to the civil rights movement of the 1950s. Many historians have neglected these formative years of the movement and focused on the more obvious and exciting manifestations of black unrest which occurred during the following decade. A resulting lack of knowledge about what might be called the early civil rights movement, particularly the era between the *Brown v. Board of Education* ruling and the now-infamous Greensboro sit-in of February 1960, is being remedied, albeit at a much slower and perhaps more deliberate pace than what preceded it.

This thesis contributes to this growing field of knowledge. It examines the process by which the National Association for the Advancement of Colored People (NAACP) sought to implement its historic 1954 victory in *Brown v. Board of Education, Topeka, Kansas*. It demonstrates the intricacies of the NAACP's attempts to implement the decision, from both the national and the local perspective, and emphasizes the importance of the structure of the NAACP in the process. In particular, the focus is on the desegregation of the public school system of Little Rock, Arkansas, which finally occurred in the fall of 1957—three years after the Supreme Court of the United States ruled school desegregation unconstitutional. This thesis highlights the difficulties associated with bringing about school desegregation in the South, and it shows

¹Jane Cassels Record and Wilson Record, eds., Little Rock, U.S.A. (San Francisco: Chandler Publishing Company, 1960), 283.

how the NAACP was forced to undertake a job which American society was unwilling to do.

The Little Rock Story

On September 25, 1957, the 101st Airborne of the United States Army escorted nine black children into Central High School in Little Rock. It was the first of Little Rock's schools to be desegregated, and the occasion marked an end to a three-year battle fought between the local Branch of the NAACP and the Little Rock School Board. This battle is the untold story behind the desegregation of Central High.

The *Brown* decision marked a momentous victory for the NAACP. The culmination of over twenty-five years of litigation aimed at eliminating the 'separate-but-equal' doctrine established in 1896, *Brown* ended public school segregation throughout the nation and set the stage for legal attacks on other forms of segregation. It guaranteed that race relations as previously established would never be the same, and it ordered the South to begin planning for desegregation immediately.²

Nonetheless, the Supreme Court's ruling was not self-enforcing. From the beginning, the NAACP realized that, although it had won a major victory, difficult battles lay ahead. During the summer and fall of 1954, the Association developed its desegregation program, rallied its Branches, and expanded the Branch Department's field staff. Newly-hired fieldworkers were sent to a number of southern states to help implement the historic decision. Trained specifically to effectuate desegregation at the local level (in accordance with the National Office of the NAACP's directives), these new fieldworkers undertook their work with optimism, enthusiasm, and fear.

²*Brown v. Board of Education, Topeka, KS*, 347 U.S. 483 (1954).

Still, the Association initially underestimated the resistance that it would face in the South. Its desegregation program for the first year and a half was moderate and almost naively optimistic. Drawn up by the national staff in coordination with the NAACP Board of Directors, and then passed down the NAACP hierarchy in the spring of 1954, the program focused on making desegregation work at the local level. It emphasized the importance of community support for desegregation, and it favored relying on the good faith of local School Boards rather than legal action. Though the Association pushed for southwide desegregation by the fall of 1955, it chose not to force the issue on the region. The Association apparently believed that the Supreme Court's ruling on an implementation decree in *Brown* would establish a timetable for desegregation and thereby alleviate the significant difficulties that otherwise lay ahead.

Unfortunately for the NAACP, this was not to be. The Supreme Court's ruling on implementation, announced in May 1955 and commonly referred to as *Brown II*, failed to establish a timetable for desegregation in the South. Instead, it ambiguously ruled that implementation of the original decree should begin immediately and proceed "'with all deliberate speed.'"³ Furthermore, subsequent federal court rulings in the summer of 1955 worsened the situation for the NAACP. Rulings in both South Carolina and Virginia favored an elastic interpretation of the *Brown* decisions and allowed the continuance of segregation for the 1955-56 school year.⁴ By 1955, perhaps even more than before, the struggle to make desegregation a reality faced formidable obstacles.

³*Brown v. Board of Education, Topeka, KS*, 349 U.S. 294 (1955).

⁴Minnie Finch, *The NAACP: Its Fight For Justice* (Metuchen, NJ: The Scarecrow Press, Inc., 1981), 193; *Briggs v. Elliott*, 132 F. Supp 776 (1955); *Davis v. County School Board, Prince Edward County, VA*, 142 F. Supp 616 (1956).

In the meantime, work had begun in Arkansas. Slowly at first, but with increasing swiftness, the Arkansas State Conference of the NAACP rallied its Branches and pressed for desegregation. Carefully following the dictates of the National Office, the State Conference filed petitions with dozens of district School Boards during the summer and fall of 1954. In October the State Conference held its annual meeting in Little Rock, where it adopted the resolutions of the National Office's desegregation program and pressed its member Branches to step up their efforts to desegregate schools. Shortly thereafter, the State Conference gladly welcomed Vernon McDaniel, a desegregation specialist assigned by the National Office to work in Arkansas, into its camp. Battling financial problems and weak leadership in its rural Branches, as well as pressure from the National Office to produce results, the Arkansas NAACP was relieved and bolstered by McDaniel's appointment. The battle for desegregation in Arkansas geared up during late 1954.

The city of Little Rock held promise in terms of school desegregation from the beginning. A progressive community by southern standards, the city reacted calmly to the Supreme Court's ruling in the spring of 1954. The local School Board quickly announced that it would comply with the decision, and it initiated a number of research projects during the summer of 1954 to determine how to desegregate its schools most effectively and smoothly. That fall, Virgil Blossom, the Superintendent of Little Rock's public schools, announced that a desegregation plan for the city had been developed. The plan became known as the Blossom Plan. It provided for desegregation in the Little Rock public school system to begin in 1956 at the high school level, and it pledged to establish a citywide attendance zone for the public schools. It was a reasonable plan. None of the racial demagoguery that would later characterize Little Rock was evident in 1954.

For its part, the local Branch of the NAACP was divided over what course to pursue. A minority within the Branch was upset with the superficiality of recent improvements in race relations and favored pushing ahead militantly to force the issue of school desegregation on the community—even to the point of filing a desegregation suit against the School Board immediately. Forced to mitigate its rhetoric and militancy by the dictates of the National Office of the NAACP and the sentiments of fellow Branch members, this minority nonetheless continued to favor immediate legal action to bring about desegregation. The majority within the Branch, on the other hand, feared losing the gains which had been made and preferred to give the city and the local School Board the benefit of the doubt. Impressed by the city's race relations record, which had improved significantly in the previous decade, and its swift response to the *Brown* ruling, this faction moderated the more militant members and attempted to work with the School Board to effectuate desegregation.

In part because of the division within the NAACP, relatively little progress toward desegregation occurred in Little Rock during 1954. Following the program of the National Office, the Branch filed a desegregation petition with the School Board in August and held a hearing with the Board in the early fall. The Branch also began to educate the black community about the significance of the *Brown* ruling, and it worked to garner support for desegregation from other community organizations. Still, the pace of efforts to desegregate Little Rock proceeded slowly, and only on the eve of *Brown II* did the local Branch's efforts picked up significantly.

Nineteen fifty-five proved to be a crucial year in Little Rock. Just as the local NAACP picked up its desegregation activities, the Little Rock School Board announced modifications to its previously-accepted desegregation plan.

Superintendent Blossom, who proposed the changes, explained that a more gradual process of desegregation would increase support for the Board's plan within Little Rock's white community. His alterations significantly reduced the amount of desegregation scheduled to occur in the Little Rock school system, and ensured that what desegregation did occur would take place over a prolonged period of time. The new plan, dubbed the Phase Program, set up a three-stage process of desegregation, to begin at the high school level in 1957, where it would be carefully monitored and regulated by the School Board. The alterations, combined with the reluctance of the School Board to cooperate with the local Branch and other community organizations, produced an increased militancy within the local Branch and the black community in general. By the end of the year, a majority of Branch members favored filing a lawsuit contesting the altered desegregation plan, and a growing number of blacks in the community supported this stance. The Branch consulted State Conference and Regional NAACP attorneys about the prospect of filing a suit, and in December the Branch voted in favor of the action.

Ironically, about the same time the Little Rock Branch voted to file suit against its School Board, the National Office of the NAACP, frustrated by the lack of desegregation occurring throughout the South, decided to increase the number of suits its legal staff would file on behalf of local black communities. Though it began 1955 with the same hopeful optimism it had exhibited during 1954, the National Office modified its perspective significantly over the course of the year. The change resulted from the elasticity of the Supreme Court's ruling in *Brown II*, federal court rulings that allowed for the maintenance of segregation during the 1955-56 school year, and rising segregationist activity below the Mason-Dixon line. Moreover, though the National Office had stepped up its desegregation efforts significantly in mid-1955, it had met with little

success. Its initial optimism weathered by a year and a half of southern intransigence and stubborn opposition, the National Office became increasingly militant in its rhetoric, and by the end of the year it decided to employ widespread litigation to force the issue of desegregation on the South.

Nineteen fifty-six was a year of significantly heightened tensions in the South. Responding to an influx of desegregation suits sponsored by the NAACP, southern segregationists rallied and began an attack on the Association that would last well into the next decade. The NAACP countered this increasing resistance by redoubling its efforts, and the organization plowed ahead with a record number of desegregation suits, a stepped-up membership and fundraising campaign, and a determination to expand the desegregation effort to include transportation, housing, and virtually every other aspect of southern life. By year's end, battle lines had been drawn.

Developments in Little Rock unfolded amid this rising tension. In late January, the local Branch organized a hearing with Superintendent Blossom to attempt to register a number of local black children in the public school system. After being turned away, the parents of the children formally appealed to the Branch for legal representation. The Branch filed suit in early February 1956 on behalf of the black families who attempted to enroll their children in Little Rock's all-white public school system. Following the filing of the suit, the Branch was occupied by fundraising efforts, pre-trial hearings, and community events to garner support for the suit. The Branch left the legal aspects of the suit to the NAACP's State Legal Redress Committee, which periodically consulted with members of the Regional and National Legal Staff.

Unfortunately for the Branch, however, the various NAACP attorneys never worked well together, and the suit was handled poorly. In mid-August,

the Federal District Court of Eastern Arkansas heard the case, and Judge John E. Miller upheld the School Board's desegregation program. Judge Miller, convinced of the sincerity of the School Board to desegregate, found the Board's plan well within the confines of the *Brown* decisions. Discouraged by the outcome and the way in which the suit had been handled, the local NAACP refocused its efforts on motivating the Little Rock community to support desegregation at the earliest possible date. That fall, after conferring with the National Office of the NAACP's Legal Defense and Educational Fund, Inc., the Branch decided to appeal Judge Miller's decision to the Eighth Circuit Court of Appeals.

Exactly why the suit was handled so poorly is one of the most intriguing aspects of the Little Rock story. A combination of interrelated factors (including a breakdown within the Association's legal hierarchy, personal disagreements and personality differences, and the extraordinarily large amount of litigation the Association sponsored at this time), account for the way the case was handled. Another consideration was the increasingly effective attack southern segregationists waged on the NAACP.

In early 1956, the Arkansas State NAACP received a new fieldworker. Frank Smith, a state school administrator from Arkansas, became the NAACP's newest southern field secretary in February. His addition filled the gap left by the departure of Vernon McDaniel in late 1955, and Smith's time in the field contributed significantly to the desegregation of the state's schools. Moreover, Smith spent a considerable amount of time in Little Rock, and his work there illustrated the hierarchical nature of the NAACP as it operated in Little Rock during the next twenty months. Smith organized efforts in behalf of desegregation along the lines of the National Office's implementation program.

The arrival of a new field secretary in Arkansas coincided with increasing resistance to desegregation in the state. Nineteen fifty-six marked the year in which southern segregationists grew in strength and authority, leading to increased physical, psychological, and economic reprisals against those fighting segregation. Segregationist activity in Arkansas reflected this trend. Many southern segregationists, in fact, believed that Arkansas' stance on desegregation would influence the position of other key southern states, and they expressed the conviction that segregation must prevail in Arkansas, come hell or high water. During 1956, Smith and the State Conference battled segregationists throughout the state, including a growing number in Little Rock.

The climax of the desegregation battle in Little Rock came in 1957. Viewed as the gateway to the Deep South by both southern segregationists and the NAACP, Arkansas had become a major battleground for desegregation. The NAACP recognized its importance as early as the summer of 1954, and this led to placing Frank Smith in the state. Similarly, segregationists saw Arkansas as the key to the Deep South—if this crucial border state were allowed to desegregate, it would mean that integration was headed toward the heart of Dixie.

During the spring and summer of 1957, tensions in the state's capital city increased. Segregationists stepped up their campaign to have the School Board's court-approved desegregation plan discarded, and the NAACP worked just as feverishly to insure its implementation. In mid-March, segregationists lost a bid to take control of the Little Rock School Board, but they continued to press the community to reject the integration of the public schools after the election. By summer, when segregationists began a concerted effort to force the Governor of Arkansas to take a side on the desegregation issue, both the

NAACP and the School Board acknowledged that they were losing support within the Little Rock community.

In April, the Eighth Circuit Court of Appeals upheld the School Board's desegregation plan. This proved to be a setback for both the Little Rock NAACP and Arkansan segregationists, because the ruling sanctioned the School Board's gradual desegregation plan. Combined with March's School Board election results, the ruling boded well for the desegregation of Little Rock's public school system, though integration would be token and minimal. Still, tensions within the community continued to rise over the course of the summer, as segregationists pressed the Board to abandon its plan and the local NAACP prepared the blacks chosen for integration.

No one in Little Rock expected Governor Faubus to block the desegregation of Central High in September. Known throughout the South as a moderate, particularly with regards to race relations, Faubus took the city and the nation by surprise when he called out the Arkansas National Guard and ordered it to block the entrance of Negroes into the school. Motivated by thoughts of a third term and political commitments to Arkansas segregationists, Faubus acted with determination. His actions quickly placed him in open defiance of a federal court order and the judicial branch of the United States government.

After an attempt to negotiate a settlement with Faubus failed, President Dwight Eisenhower responded by nationalizing the Arkansas Guard and sending the 101st Airborne to protect the entry of nine black students into Central High. Under the continuing protection of federal troops and the Arkansas Guard, nine black students conspicuously joined over two thousand whites in the halls of the now-notorious school, and Little Rock slowly retreated from the national limelight.

Since September 1957 historians have attempted to explain the events surrounding the desegregation of Central High. Many books identified the causes of the "crisis" at Central High, and several have attempted to tie these events into the larger struggle for civil rights. Still, none have analyzed the role of the NAACP in the affair.

An examination of the NAACP's role in Little Rock sheds light on the NAACP's activities in the years immediately following the initial *Brown* ruling. How did the NAACP plan to implement this historic decision? What steps did the National Office and its Branches take to bring about school desegregation? What difficulties did the NAACP face, and how did it overcome them? How did the National Office and its Branches work together to bring about desegregation? The story of the NAACP's activities in Little Rock begins to answer these questions.

Chapter One: The Seeds of Change, 1954

For the National Association for the Advancement of Colored People (NAACP), making the Supreme Court's ruling in *Brown v. Board of Education* a reality was a complex undertaking. The implementation process, directed by the National Office of the NAACP, featured important similarities regardless of local circumstances. It involved the coordination of national, state, and local activities for hundreds of NAACP representatives and Branches across the nation. Following the *Brown* decision, the entire hierarchical machinery of the Association was directed toward the goal of total and complete school desegregation at the earliest possible date.

The NAACP Hierarchy

The National Office of the NAACP, including the Board of Directors and the full-time staff, made up the highest level of the Association's hierarchy. Based at the NAACP's headquarters in New York City, the National Office made the major policy decisions for the Association. From the start, it was determined to oversee and manage the Association's desegregation efforts, though it recognized that most of the actual implementation work would occur at the local level. The desire to exercise control over the affairs of the NAACP was in keeping with the historically centralized nature of the Association.¹

Realizing that a favorable decision in the pending school desegregation cases would initiate the most important project in NAACP history, the Association's Board of Directors and national staff met to formulate a top-down implementation program in the spring of 1954.² The resulting program

¹Finch, 20; Aldon Morris, The Origins of the Civil Rights Movement (New York: Free Press, 1984), 13.

²John H. Bracey and August Meier, eds., Papers of the NAACP (microfilm)(Bethesda: University Publications of America, 1995), Part 16b, reel 21, "Report of the Secretary for the Month of March, 1954", April 12, 1954, 2. Henceforth the NAACP Papers will be cited as Papers of the NAACP.

granted considerable autonomy to local chapters while still allowing the national NAACP to maintain its authority through Association conferences and conventions, State NAACP oversight of local chapters, and National Office field representatives.

Below the National Office in the NAACP's hierarchy were the state units of the Association, referred to as State Conferences. Theoretically subservient to the NAACP's Regional Offices, many State Conferences were overseen by weak regional supervision, and were thus either watched closely by the National Office or left relatively free to carry out their own policies, depending on the circumstances. This was because the NAACP's Regional Offices were in their developing stages in the early 1950s.³ The Arkansas State Conference, for its part, was linked fairly closely to the National Office, because of the importance the NAACP placed upon the successful desegregation of Arkansas and the fact that regional supervision of the state was lacking.⁴ The State Conference acted as an important administrative link between the National Office of the NAACP and the local chapters.⁵

The local Branches represented the lowest level of the NAACP hierarchical structure. Relatively autonomous within the parameters of national policy, the Branches were alternatively directed, instructed, prodded, and cajoled by the National Office and State Conferences.⁶ The Little Rock Branch, for its part, worked more closely with the Arkansas State Conference

³Finch, 122.

⁴The Arkansas State Conference was a member of the Southwest Region of the NAACP, a weak conglomeration of southwestern State Conferences which lacked a Regional Secretary. Papers of the NAACP, Part 17, reel 26, Memorandum to Mr Wilkins from Mr Current: 12/1/54 (Re: For submission to the Budget Committee), 1.

⁵Warren St. James, The National Association for the Advancement of Colored People: a case study in pressure groups (Smithtown, NY: Exposition Press, 1958), 98.

⁶*Ibid.*, 77-98.

than the National Office. This was partly due to the fact that the Arkansas State Conference president, Mrs. Daisy Bates, resided in Little Rock and was a member of the Little Rock Branch's Executive Committee.

The Little Rock Branch included some sixteen hundred members on paper, but only a small core consistently participated in formulating and carrying out policy. This core was the Branch's Executive Committee, which included several black ministers and attorneys, as well as two white professors from nearby Philander Smith College.⁷ During the spring and summer of 1954, the Branch geared up slowly to work toward the implementation of *Brown v. Board of Education*.

Little Rock: Pre-1954 Race Relations

Little Rock, Arkansas, established itself as a progressive city in the decade after the end of the Second World War. A small but growing city of about one hundred thousand located on the banks of the Arkansas River, Little Rock enjoyed a reputation as a clean and beautiful city. Its business leaders boasted of a steadily expanding economy, the result of a concerted effort to attract new industrial development to the area; and the community was proud of its relatively progressive race relations. In general, Little Rock was a community of "considerable prosperity and comfort."⁸

Not all of Little Rock's citizens, of course, shared in this prosperity. Blacks in Little Rock lived on the lower end of the city's standard of living. As did blacks throughout the South in the 1950s, blacks in Little Rock existed on the margins of white society, or within a separate and unequal black sphere of life. Schools and housing for blacks were substandard in comparison to their

⁷Tony Allen Freyer, The Little Rock Crisis: A Constitutional Interpretation (Westport, CT: Greenwood Press, 1984), 26-27. Freyer lists most of the Executive Committee by name, though he offers no descriptions.

⁸*Ibid.*, 18.

white counterparts, and black community organizations had little say in Little Rock's decision-making processes.⁹ In many ways, Little Rock was typical of the southern racial situation in the 1950s. As historian Numan Bartley aptly described the situation, "The Negro's place--by tradition, by nature, by law--was at the bottom of the social order."¹⁰

Still, Little Rock had developed a favorable reputation in the field of race relations by the mid-1950s, and justifiably so. In 1948, blacks were admitted to the University of Arkansas's medical school, and the University's Graduate Center, in Little Rock. Little Rock's municipal library was integrated in the early 1950s, and local blacks joined the city's police force, served on juries, visited integrated hospitals, and resided in predominantly white neighborhoods. By the mid-1950s, Little Rock had established itself as an example of liberal southern race relations.

Nonetheless, a hierarchical relationship between blacks and whites remained the norm throughout the South in the 1950s, and Little Rock was no exception. Little Rock's progressive race relations existed within the bounds of the South's established social system. Integration in Little Rock was never significant enough to disturb the predominantly segregationist-minded white community, and its 'interracial' community organizations often included only token blacks. The city, in other words, had successfully developed a process whereby considerable improvements in the lives of local blacks and the overall status of race relations were achieved, but which still allowed for the maintenance of a rigidly structured social system insuring that blacks would remain near the bottom of the hierarchy. "Pre-1957 race relations in Little

⁹Irving J. Spitzberg, Jr., Racial Politics in Little Rock, 1954-1964 (New York: Garland Publishing, Inc., 1987), 126.

¹⁰Numan V. Bartley, The Rise of Massive Resistance: Race and Politics in the South During the 1950's (Baton Rouge: Louisiana State University Press, 1969), 237.

Rock were definitely those of a superior to an inferior,"¹¹ noted Irving Spitzberg, but as historian Tony Freyer added, "the city and segments of its population were making progress in ameliorating established racial patterns and attitudes."¹²

One explanation for the seeming dichotomy of Little Rock's maintenance of an impenetrable hierarchy of black-white relations while allowing for the development of significantly progressive race relations lies in the city's post-World War II economic situation. Beginning in the immediate postwar years, the city's civic and economic elite adopted a program of economic growth for the city and its environs.¹³ Business leaders knew that a reputation for moderate or liberal race relations would help attract economic development, which often came from industrial giants in the North. Accordingly, Little Rock's civic elite began to manifest more interest in the city's race relations, and to play a more active role in bettering the tie between Little Rock's blacks and whites. Historian Elizabeth Jacoway explained that, "an integral part of the postwar awakening in Little Rock was the growing awareness among civic leaders of the inequities of segregation and a consequent commitment to the improvement of black life in the community."¹⁴

Little Rock's pre-1954 race relations had a significant impact on the implementation of the *Brown* decision in the city. Both blacks and whites were fully cognizant of the city's progressive image and recent improvements in race relations, and both assumed that implementation in Little Rock would

¹¹Spitzberg, 126.

¹²Freyer, 21.

¹³David R. Colburn and Elizabeth Jacoway, eds., Southern Businessmen and Desegregation (Baton Rouge: Louisiana State University Press, 1982), 18.

¹⁴*Ibid.*, 19.

occur smoothly. Both blacks and whites also wanted Little Rock to be a model for the implementation of the decision for the South, though for different reasons—local whites wanted to maintain the city's progressive image and local blacks wanted desegregated schools. Unfortunately, Little Rock was still a typical southern city in the 1950s, and local whites, though determined to maintain the image of progressivism, were nonetheless intent on maintaining as much segregation as possible. Torn between its progressive image and its desire to maintain the status quo, Little Rock slowly chose the latter, and the city's blacks were forced to respond. Until these difficult choices were made, however, no one in the city knew quite what to expect.

Little Rock Blacks on the Brink of *Brown*

The effect of Little Rock's pattern of race relations on the city's black population is difficult to ascertain. Certainly a significant proportion of Little Rock's black population was impressed with the recent improvements in race relations, and pleased with the change in attitude on the part of many Little Rock whites. In the coming years, these blacks would initially be wary of pressing too hard for desegregation, preferring to work through established channels and organizations, and attempting to effectuate change without alienating the city's white population and its white leadership.¹⁵ Other blacks in Little Rock were dissatisfied with the superficiality of the city's racial improvements. These blacks demanded that cosmetic changes be replaced with significant alterations in the city's social, political, and economic hierarchy. They advocated racial equality in a time and a city not willing to accept it. Increasingly militant over time, these blacks demanded that Little Rock come to terms with its progressive rhetoric and racial hypocrisy.

¹⁵Freyer, 27-30.

These two elements of Little Rock's black community account for the significant divisions within the black community over the course of the next two years. Until mid-1955, those favoring moderation dominated the pronouncements and actions of Little Rock's blacks, though not without occasionally vocal dissent. Only after the city's white leadership proved unexpectedly resistant to meaningful desegregation, a stance quite apparent by the summer of 1955, would the black community join together and rally to press for substantial gains. In the meantime, "the very factors that produced stable and steadily improving race relations also assured that the overthrow of the dual society would take place slowly if it took place at all."¹⁶

The above divisions were apparent within the Little Rock Branch of the NAACP as well. Most members of the Branch, including the majority on the Branch's Executive Committee, favored the utilization of moderate tactics to achieve improvements for the city's black population. Encouraged by Little Rock's progressive image and recent improvements in the status of the city's blacks, these members were wary of disturbing the delicate relations which had resulted in much recent progress. These members, including the Branch's attorneys and white members, worked to moderate the Branch's implementation program. Other Little Rock NAACP members, including a few on the Branch's Executive Committee, such as L.C. Bates, were more militant. These members strove to stimulate the rest of the Branch to press harder for substantial desegregation.¹⁷

Thus, for the first year after *Brown*, the Branch was characterized by division over what tactics to pursue with regard to desegregation. Both of the main segments of the Branch favored desegregation, but they were clearly

¹⁶*Ibid.*, 29.

¹⁷*Record and Record*, 286.

divided over how to achieve this. The moderate stance, characterized by faith in the School Board and an aversion to the use of legal action, prevailed throughout the first year. The minority, which favored filing suit shortly after the *Brown* decision and generally more militant action to bring about desegregation, retreated to the background.¹⁸ Over the course of the next year and a half, the balance switched, and a majority within the Branch came to favor filing a suit challenging the School Board's desegregation efforts. This reversal came after months of frustrating and unfruitful work with the city's School Board.¹⁹

The relationship between the Little Rock NAACP and the city's larger black community followed a pattern similar to the one outlined above. Initially wary of supporting attempts to bring about immediate and complete compliance with the decision, Little Rock blacks in general favored more moderate positions than even those adopted by the local Branch. Beginning with the announcement of the *Brown* decision, however, and increasingly over the course of the next two years, local black support for the NAACP grew. This trend, which culminated in early 1956 with the filing of a lawsuit against the Little Rock School Board, resulted partly from the School Board's resistance to meaningful desegregation.²⁰

The black community was aware of the Branch's role in obtaining the racial advancements of the previous decade. It was the Branch's work with sympathetic whites and moderate community organizations such as the Little Rock Urban League and the Little Rock ministerial alliance which had resulted in the hiring of blacks by the city's police force and the removal of Jim Crow

¹⁸This segment of the Branch favored litigation before the National Office's program de-emphasizing litigation was handed down.

¹⁹Record and Record, 284-88.

²⁰Spitzberg, 53.

signs in the downtown area, among other things. For this the local NAACP was respected.²¹

Still, in 1954 the Little Rock Branch did not enjoy wide support from the local black community. Many blacks were afraid of reprisals, physical or economic, by the white community, and others were simply too moderate to become active in community race relations. Over time, black support, both active and financial, would grow, but in May of 1954 the local Branch remained small and weak.²²

The Impact of *Brown*

Considering Little Rock's relatively progressive racial situation, it was not surprising that the Little Rock School Board was the first in the South to announce that it would comply with the Supreme Court's ruling.²³ The Board met the day after the Court announced its decision and decided that, although as a body it disagreed with the *Brown* decision, it would obey the ruling as the law of the land. The group promptly ordered school district Superintendent Virgil T. Blossom to begin work on a desegregation plan that would conform to the ruling. In the meantime, the Board drew up a statement concerning the *Brown* decision, which it released on May 22. The statement explained the School Board's plans for the interim between the *Brown* decision and the Supreme Court's ruling on implementation to be handed down later. These plans included developing new attendance areas for each of the city's schools, revising pupil records, and examining the results of desegregation research

²¹Freyer, 27-28.

²²Freyer, 27-29; Record and Record, 286.

²³Steve Fayer, Sarah Flynn and Henry Hampton, Voices of Freedom: An Oral History of the Civil Rights Movement From the 1950s Through the 1980s (New York: Bantam Books, 1990), 36.

and studies. The Board's statement further solicited community support for compliance with the Supreme Court's decision.²⁴

The Arkansas State Conference of the NAACP reacted optimistically to the Board's response. State Conference president Daisy Bates reported to the National Office that the situation in Arkansas was favorable for successful implementation. On May 18, the Governor of Arkansas announced that the state would obey the law and that he was in the process of appointing an interracial commission to help alleviate the difficulties of desegregation.²⁵ Newspaper comments across the state had been mostly favorable to the decision, and several school districts had already begun plans for compliance. Bates predicted that desegregation suits would have to be filed in only three counties out of more than two dozen.²⁶

The Little Rock Branch was also pleased by the city's reaction. A majority within the local Branch of the NAACP viewed the *Brown* decision and prospects for its implementation optimistically. Little Rock's school district was planning compliance, and race relations in the city were good. The Branch expressed joy that the law was finally on the side of the Negro, and it announced its hope Little Rock would be the model for implementation for the entire South.²⁷

National NAACP Policy

The weekend following the *Brown* decision, the NAACP held its first implementation conference in Atlanta, Georgia. Earlier that spring, the Board

²⁴Virgil T. Blossom, It Has Happened Here (New York: Harper, 1959), 11-12; Freyer, 15-17, 47.

²⁵Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 1.

²⁶*Ibid.*, Part 3 Series C, reel 14, "EXCERPTS FROM REPORTS OF VARIOUS STATE LEADERS RE OVER-ALL PICTURE OF STATE REACTION TO SUPREME COURT DECISION", May 22, 1954, 1.

²⁷Record and Record, 286; Freyer, 42.

of Directors of the NAACP decided to hold this southwide conference of state presidents immediately following the ruling. Purportedly held to "formulate a program to bring about the implementation of the school desegregation decision," the conference was more of an opportunity for the National Office to outline, and recommend the acceptance of, its previously-developed program of implementation to the southern State Conference presidents.²⁸ By following this procedure, national officials hoped to insure that their implementation program would be carried out on the local level.

From the perspective of the National Office, the conference was a success. The delegation of state presidents conferred with national leadership and the National Legal Staff and agreed to adopt the proposed resolutions of the National Office.²⁹ In a form letter to southern Branches sent shortly afterwards, the National Office reiterated the basis of the implementation process: "It is imperative that all of our units act in concert as directed to effectively implement this historic decision."³⁰

The conference delegates also adopted the widely-publicized Atlanta Declaration, which set forth the general implementation program of the NAACP for the immediate future. In order to press School Boards in local communities for compliance, the declaration called upon NAACP Branches to collect the signatures of black parents who favored immediate desegregation. The declaration also encouraged local Branches to work with other community organizations and community leaders to effectuate the process. The statement further emphasized that the Association was intent upon cooperating with local School Boards in implementing the decision and in meeting the

²⁸Papers of the NAACP, Part 16b, reel 21, "Report of the Secretary for the Month of March, 1954", 2.

²⁹*Ibid.*, Part 3 Series C, reel 17, "Press Release for May 23, 1954", 1.

³⁰*Ibid.*, Part 3 Series C, reel 5, Untitled letter to "Dear Branch Officer", May 25, 1954, 2.

difficulties presented by the desegregation process. It read, "We are instructing all of our branches in every affected area to petition their local school boards to abolish segregation without delay and to assist these agencies in working out ways and means of implementing the Court's ruling."³¹ The Declaration emphasized that plans for implementation were to begin immediately.³²

Between the Atlanta Conference and the NAACP's annual convention in late June, the National Office worked to energize the local Branches and instruct them about how to begin the implementation process. It sent numerous directives to the Branches containing instructions and suggestions, and it drew up the forms to be used by the Branches for petitioning their local School Boards. The National Office also instructed the Branches on the proper procedure for petitioning. Its directions were clear and to the point: "We are requesting our Branches not to draw up their own petition but to follow the petition drafted by our National Legal Staff."³³ The National Office wanted to insure that the petitions could be used in court, if that proved necessary. The National Office prodded local Branches to begin pushing for desegregation promptly, under its guidance and that of the State Conferences.³⁴

The National Office also directed the work of its State Conferences. It urged them to hold meetings with Branch presidents in their states, clarified the petition process and the role of the state units in that process, and emphasized the importance of increased fundraising in the implementation program. It further directed State Conference leaders to emphasize to the Branches that no commitments or agreements were to be undertaken by the

³¹Ibid., Part 3 Series C, reel 13, "Atlanta Declaration".

³²Ibid.

³³Ibid., Part 3 Series C, reel 5, Untitled letter to "Dear Branch Officer", May 25, 1954, 1.

³⁴Ibid.

Branches without the approval of the National Office and the Branch's State Conference.³⁵ In general, the National Office directed the State Conferences to get the local Branches working for school desegregation, along the guidelines established by the National Office, as quickly as possible.³⁶

State Conference leaders, for their part, held conferences with Branch presidents to explain the implementation procedure and encouraged local leaders to begin desegregation work immediately. The Arkansas State Conference, representatives of which attended the Atlanta Conference, formulated and distributed a list of suggestions for Branches under its jurisdiction. The Conference highlighted the need for cooperation with other community organizations for effective and problem-free implementation, encouraged Branches to follow carefully the actions and pronouncements of local School Boards, directed Branches to seek the support and aid of local ministers, and reminded local units of the annual statewide NAACP meeting to be held in October.³⁷

The Little Rock Branch began its desegregation activities in the period between the Atlanta Conference and the Annual Convention. The most significant undertaking was the reorganization and rejuvenation of the local chapter of the Southern Regional Council (SRC), a southern interracial organization devoted to nonconfrontational interracial progress. The reorganization, which took place on June 19, established a new interracial organization in Little Rock called the Arkansas Council on Human Relations (ACHR). This organization would shortly thereafter play an important role in the desegregation of Little Rock's public schools. It was a small, liberal group

³⁵Ibid.; Ibid., Part 3 Series C, reel 13, "FOLLOW_UP RE ATLANTA CONFER:".

³⁶Ibid., Part 3 Series C, reel 5, Untitled letter to "Dear Branch Officer", May 25, 1954, 1.

³⁷Ibid., Part 3 Series C, reel 1, "STATE CONFERENCE SUGGESTIONS ON INTEGRATION PROCEDURE", 1.

with a full-time staff in Little Rock, and its meetings brought local black and white leaders together to discuss and resolve problems of mutual concern.³⁸

The ACHR's relationship with the local NAACP is difficult to discern, though the two shared common memberships and a dedication to the desegregation of Little Rock's schools as quickly as possible.³⁹ The ACHR's relationship with local ministers was more clear. Through its meetings, luncheons, and conferences, the group allowed for increased cooperation between black and white ministers on an informal basis, which undoubtedly contributed to growing interracial ministerial support for the local NAACP and school desegregation in general. Explained ministers Ernest Campbell and Thomas Pettigrew, "This local council was quite often the instigator of specific actions by the clergy in Little Rock and offered an opportunity to ministers to work for integration behind the scenes."⁴⁰ Considering the number of ministers who were leaders in the Little Rock community and the historic tie between the NAACP and local black churches, the ACHR provided an important link between influential segments of the local community.⁴¹

The 1954 Annual Convention

A month after the Atlanta Conference, the NAACP held its annual convention in Dallas, Texas. The convention, held from June 29-July 4, 1954, served to solidify the NAACP's implementation program and to spur the local

³⁸Ernest Q. Campbell and Thomas F. Pettigrew, Christians in Racial Crisis: A Study of Little Rock's Ministry (Washington D.C.: Public Affairs Press, 1959), 64; Freyer, 21.

³⁹Spitzberg, 53; Record and Record, 198; Freyer, 21; Morris, 75; Papers of the NAACP, Part 3 Series D, reel 2, "Hearing Before the Special Education Committee of the Arkansas Legislative Council", 10. Historian Aldon Morris points out that organizations working for racial change, and relations between these organizations, are often difficult to document because of the need for obscurity in the face of threats of violence and economic retribution.

⁴⁰Campbell and Pettigrew, 184.

⁴¹Bates, 156; Morris, 37.

Branches of the NAACP into action. After the convention, the implementation process began in earnest at the local level, and the National Office worked to oversee its program and direct it as smoothly as possible. The State Conferences of the Association served as key links in the hierarchical chain of command.

The convention focused on school desegregation and the process whereby the *Brown* decision would be implemented.⁴² It provided guidance to local Branches during the interim between the *Brown* decision and the Supreme Court's decree regarding the implementation of *Brown*, to be handed down following reargument by those involved in the original cases. The key provisions of the program had already been established by the National Office and approved by the State Conference presidents at the Atlanta Conference. Now the National Office sold its program to the NAACP Branches and individual delegates.

At the convention, the National Office stressed the need for action at the local level. It organized day-long workshops to explain its program and the role of the local chapters in the implementation of the *Brown* decision. A key tenet of the program was the emphasis on local Branch work to effectuate desegregation, rather than forcing compliance through litigation. The conference resolved that "the enjoyment of many rights and opportunities of first class citizenship is not dependent on legal action but rather on the molding of public sentiment and the exertion of public pressure to make democracy work."⁴³ The National Office preferred implementation by voluntary compliance with the *Brown* decision; litigation was to be a last resort. Local Branches were also encouraged to seek support and help from

⁴²Papers of the NAACP, Part 17, reel 4, "Staff Meeting, March 16, 1954", 2.

⁴³Ibid., Supplement to Part 1 (1951-55), reel 10, "Resolutions Adopted, Education [1954 Annual Convention]", 1.

local ministers, labor unions, social and civic groups, and educational groups.⁴⁴ Finally, the National Office once again directed its Branches to begin desegregation activities immediately, using its guidelines: "The implementation of legal victories depends on broadening the scope of the Association's activities in the field of local action."⁴⁵

The National Office also spent a good deal of time at the convention working and meeting with the southern State Conference leaders. These meetings and workshops were held to make sure that the state units of the NAACP understood and followed the national implementation program. The National Office distributed the forms for petitioning local School Boards to the State Conference representatives and delegated the responsibility for filing the petitions to them.⁴⁶ After consultation with the State Conference presidents, the National Office decided that September, 1955, was to be the target date for desegregation in the South.⁴⁷ In April 1955, at the arguments on implementation, attorneys for the NAACP would ask that the Supreme Court adopt this date as well.⁴⁸ Depending as it did on the State Conferences to maintain oversight of the desegregation program, the National Office worked to insure that the State Conferences would function effectively. Explained

⁴⁴Ibid., Part 3 Series C, reel 5, "DEVELOPING COMMUNITY ACTION PROGRAM TO SPEED UP INTEGRATION", 2-3.

⁴⁵Ibid., Supplement to Part 1 (1951-55), reel 10, "Resolutions Adopted, Education [1954 Annual Convention]", 1.

⁴⁶Ibid., Part 3 Series C, reel 5, "DEVELOPING COMMUNITY ACTION PROGRAM TO SPEED UP INTEGRATION", 2-3.

⁴⁷Ibid., Supplement to Part 1 (1951-55), reel 10, "Association Press Release, July 4, 1954", 5.

⁴⁸Ibid., Part 3 Series C, reel 17, "The Impact and Consequences of the United States Supreme Court Decision of May 17, 1954", Madison S. Jones, 5-6; Richard Kluger, Simple Justice (New York: Random House, 1975), 726-30.

NAACP Special Counsel Thurgood Marshall after the conference, "the state level is the implementation level of national policy."⁴⁹

The Arkansas State Conference knew the NAACP's implementation program well. At the convention, Daisy Bates, the Arkansas NAACP president, chaired the main workshop for explaining the implementation program to the southern Branches. This may have been a deliberate plan by the National Office to insure that the NAACP president of a key southern state would effectively implement the *Brown* decision. In a letter written a week after Bates was asked to chair the workshop, NAACP Administrator Roy Wilkins highlighted the significance of Arkansas to the National Office: "'Our latest information is that white people in the Deep South are watching Arkansas and that if Arkansas goes, all except the very small hard core will go. Our information is that Arkansas is going our way.'"⁵⁰ Shortly thereafter, segregationists would also come to regard Arkansas as the key to the southern position on school desegregation. Little Rock would become their battleground.

Little Rock: Spring, Summer and Fall, 1954

Meanwhile, Superintendent Virgil Blossom had begun to develop a plan of integration for Little Rock. Blossom, who became the Superintendent of the Little Rock school district in February of 1953, was a competent administrator, and he put an enormous amount of effort into researching and planning for desegregation. He had administered a number of race-related improvements to the public school system in Fayetteville, Arkansas, where he worked as Superintendent before coming to Little Rock, and he felt confident that his

⁴⁹Papers of the NAACP, Supplement to Part 1 (1951-55), reel 10, "Remarks of Thurgood Marshall at Press Conference, June 30, 1954".

⁵⁰Ibid., Part 3 Series C, reel 17, Letter from Roy Wilkins to Mr. C.A. Franklin (of The Kansas City Call), June 24, 1954, 1.

planning would produce an effective program for desegregation.

Unfortunately, Blossom's planning did not incorporate important segments of the Little Rock community who expressed interest in the desegregation of the city's public schools, such as the local ministerial alliance and the city's newspapers. In fact, Blossom quickly took control of the entire project, and chose to supervise it himself from beginning to end.⁵¹

Underlying Blossom's planning from the start was the decision to forego any school desegregation until the Supreme Court decided on some sort of an implementation decree. Thus, although several communities elsewhere in Arkansas announced that the desegregation of their public schools would begin in the fall of 1954, Little Rock did not follow their lead. Blossom assumed, as did the other members of the School Board, that Little Rock whites did not favor the desegregation of the public schools and would rather wait to see exactly what sort of compliance would be required of them. This undoubtedly correct assumption guided the Superintendent's planning throughout the entire desegregation process.⁵²

On May 21, Blossom organized a meeting of Little Rock's black leaders, including members of the local NAACP. At the meeting, Blossom announced that the Board had decided to wait until the next Supreme Court ruling to initiate any desegregation in Little Rock. Many of the blacks in attendance voiced their disappointment. L.C. Bates walked out of the meeting. Other blacks, more optimistic about the School Board's actions and Little Rock race relations, stayed to hear out the Superintendent. The group met for nearly three hours. Blossom, for his part, promised them that the Board was not

⁵¹Spitzberg, 52. Some historians, including Tony Freyer, think this might have been because Blossom was considering a future political career, and he thought that a well-directed integration plan would win him favor with the city's leaders.

⁵²Blossom, 10-11.

delaying merely to avoid desegregating, but simply to do the job right, and he pledged to cooperate with them in the future.⁵³ Unfortunately, Blossom's pledges went unfulfilled, and his words eventually rang hollow.

The meeting highlighted the divisions plaguing Little Rock's black community at this time. Some blacks, encouraged by the recent improvements in race relations in Little Rock and willing to give the new school Superintendent the benefit of the doubt, adopted a moderate stance toward school desegregation. The large majority of them favored desegregation, but they were simply unwilling to threaten the new-found racial harmony of the city. Others, inspired by the fact that the law now rested on their side and upset with the superficiality of recent improvements in race relations, pushed more militantly for substantial desegregation. Within the latter camp were several members of the local NAACP.

Little Rock's two black newspapers reflected this division well. *The Arkansas State Press*, produced and published by L.C. and Daisy Bates, took a militant line. It prodded local blacks to take more action in support of desegregation and other causes and wholeheartedly denounced all vestiges of racism within the city. Its competition, the *Southern Mediator Journal*, published by C.H. Jones, took a more moderate and conciliatory position. Both papers supported school desegregation, but the two differed significantly in terms of what role local blacks should play in attaining this goal, and they catered to separate segments of the black community.⁵⁴ The Bates represented the more militant segment of the black community, and L.C. had argued for filing a desegregation suit against the Little Rock School Board shortly after the original *Brown* decision. Constrained by the dictates of the National Office

⁵³*Ibid.*, 13.

⁵⁴*Ibid.*, 12; Freyer, 27.

of the NAACP, Bates altered his stance with regards to legal action, but he remained a vocal proponent for complete and immediate desegregation. His wife Daisy, president of the Arkansas State Conference, echoed his pronouncements. Their words, reflecting the policy of the National Office of the NAACP, occasionally alienated them from other members of the Little Rock Branch.⁵⁵ C.H. Jones, on the other hand, appreciated the recent improvements in Little Rock's race relations, and he favored giving the School Board a chance to prove its dedication to complying with the law.

Over the course of the summer, Superintendent Blossom initiated a number of studies and polls designed to facilitate desegregation in Little Rock. He worked to develop new attendance areas for the city's schools, revised pupil records, and studied community sentiment with regards to desegregation. The latter, accomplished by a poll that lasted for several months, led Blossom to conclude that the majority of Little Rock citizens were wary of desegregation. "In general", he concluded, "the people agreed with the School Board that they would have to respect the law, but they hoped that enforcement would be delayed."⁵⁶ Blossom also learned from this poll that parents of school-age children favored desegregating at the high school level first, rather than at a younger age as Blossom had been planning.⁵⁷ Blossom would later incorporate this sentiment, along with other findings from his poll, into his desegregation plan. Historian Numan Bartley explains, "As a practical administrator dependent upon public support, Blossom devised a functional

⁵⁵Record and Record, 288, covers the stance of the National Office; see Spitzberg, 129, for the effects of Mrs. Bates' militancy.

⁵⁶Blossom, 14.

⁵⁷Blossom had thought that beginning with the youngest children offered the best chance for success and promised to mitigate serious resistance to desegregation.

plan tailored precisely on these [survey] findings and went about explaining it to the community."⁵⁸

Unfortunately, Blossom had virtually excluded the Little Rock NAACP, the ACHR, the Little Rock Urban League, and other relevant organizations from his work that summer. Almost from the beginning, in fact, Blossom viewed the local NAACP as an organization of extremists, unwilling to compromise on the issue of desegregation and committed only to achieving its own self-interested goals. That summer, after listening to the local NAACP, the Little Rock Urban League, and the Arkansas Council on Human Relations press for the desegregation of the Little Rock public school system in the fall of 1954, Blossom began the process of excluding those organizations from his planning. Having already determined that integration in Little Rock would not begin in the fall of 1954, Blossom was uninterested in listening to organizations that were pressing for that very goal. Instead, he focused his attention on those individuals and organizations that he believed would be most receptive to his ideas about integrating Little Rock's schools.⁵⁹

For its part, the Little Rock NAACP pushed the School Board to desegregate quickly and completely. Blossom's unwillingness to work with the local Branch, though it tried to establish a working relationship with the Board, heightened the Branch's suspicions of Blossom and led to increasing wariness over the way he was handling the desegregation effort. Eventually the Branch became estranged from Blossom and the Board; however, this developed only over time, and throughout the first year after *Brown*, the

⁵⁸Numan Bartley, "Looking Back at Little Rock," Arkansas Historical Quarterly (Fayetteville: University of Arkansas & Arkansas Historical Association), Volume 25 (1966), 105.

⁵⁹Blossom, 19; Freyer, 16-18. Blossom generally listened to these organizations, but he made a point of making important desegregation decisions on his own; see Spitzberg, 52.

Branch strove to include itself in the planning. In addition to its work in connection with the School Board, the Branch solicited the help and support of other community organizations and individuals. As historian Tony Freyer explains, "The Little Rock branch of the NAACP was the most active proponent of school desegregation in the community."⁶⁰

That summer, the Branch procured the support of local black ministers. In late July, approximately 275 Negro churchmen and community leaders met in Little Rock and pledged their support to the NAACP and to the implementation of the *Brown* ruling. They voted to extend financial support to the local NAACP, and asked for "'immediate implementation of the spirit ... and meaning of the (Supreme Court's) decision.'"⁶¹ This action conformed with the national NAACP's emphasis on the importance of church support in the desegregation process. Following the annual convention in June, the National Office had reminded its Branches that "The church is one of the most important agencies in the desegregation program."⁶²

Gaining the support of the black ministers was certainly an important achievement for the local NAACP. Black churches traditionally played a significant role in the affairs of the black community, and the support of the black ministers greatly enhanced the odds of increased support from the entire black community. Churches were also less subject to economic intimidation than other black institutions, and this allowed ministers greater freedom of speech and action. Moreover, the churches themselves could be utilized to communicate news and announcements, or as assembly places for mass meetings. Finally, because Little Rock's black churches were closely

⁶⁰Freyer, 25.

⁶¹Papers of the NAACP, Part 3 Series C, reel 7, "Southern School News, September 3, 1954", 3-4.

⁶²Ibid., Part 3 Series C, reel 5, "DEVELOPING COMMUNITY ACTION PROGRAM TO SPEED UP INTEGRATION", 2-3.

linked together through the Greater Little Rock Ministerial Alliance, which increased their influence within the black community, obtaining their support was doubly important to the local NAACP.⁶³

The Little Rock Branch also began the petitioning process that summer. Particularly active after the Association's annual convention, the local Branch worked diligently with national field representative Mildred Bond to collect the signatures of local black parents who agreed with the NAACP's position favoring the start of desegregation in Little Rock's schools in the fall of 1954. These signatures were collected at community meetings, speeches, and lectures, as well as by canvassing the community and seeking out those individuals most likely to favor immediate desegregation and willing to risk signing a petition affirming their position. Along with the petitions, signatories were asked to sign authorization forms granting the NAACP the right to represent them in meetings with the School Board and stating that they would take part in legal action against the Board, if it came to that, to have desegregation carried out as quickly as possible.⁶⁴

The National Office of the NAACP sent field representative Bond to help with the petitioning process in mid-July, and she stayed for over a month. An NAACP fieldworker who usually worked on voter registration campaigns for the Association, Bond frequently traveled to areas that needed help or guidance from the National Office. In Arkansas, she helped the NAACP's State Conference with the petitioning process by traveling throughout the state securing signatures and generally soliciting support for the NAACP and its implementation program. Bond had worked with the Little Rock NAACP on several occasions before, and her work in 1954 was based out of Little Rock.

⁶³Freyer, 21; Morris, 11.

⁶⁴Papers of the NAACP, Part 3 Series D, reel 1, "Report of the Little Rock, Arkansas, Branch on Desegregation Activities, August 30 [1954]", 1.

National field representatives were one way the National Office maintained oversight of its Branches, and Bond was the first national field representative to come to Arkansas to work on the desegregation campaign.⁶⁵

In late August, the Little Rock Branch turned its desegregation petition over to the Chairman of the NAACP's State Legal Redress Committee, Mr. Wiley Branton, to have it registered with the State Conference. The petition contained nineteen signatures, just on the lower end of the state average. Considering the size of Little Rock, this number highlighted the lack of local support for the NAACP. Branton made copies of the petition for NAACP records and then notarized it as legal representative for the black parents of Little Rock before sending an official copy to the Little Rock School Board on August 24. At the same time, Branton filed petitions with fourteen other school districts across the state; the Little Rock petition was in no way exceptional.⁶⁶

Shortly after filing the petition with the Little Rock School Board, Branton wrote the Board and requested a hearing to discuss the petition. Following national protocol with regards to the petitioning process, Branton asked that NAACP representatives be allowed to attend the hearing to discuss the issue of desegregation with the Board. Also in accordance with national's guidelines, he emphasized that at that time the Little Rock NAACP had "no intention of a suit," to force compliance, though he hoped that the Board would not adopt a "wait-and-see" attitude toward integration.⁶⁷ Probably relieved by Branton's letter, and seeing no harm in meeting with the NAACP,

⁶⁵Ibid., Part 3 Series C, reel 1, "ACTIVITY REPORT FROM JULY 10 TO AUGUST 20, 1954", Mildred L. Bond to Gloster B. Current.

⁶⁶Ibid., Part 3 Series C, reel 17, "The Status of Desegregation in Arkansas—Some Measures of Progress, by Vernon McDaniel, POINTS OF DEPARTURE", 3; Ibid., Part 3 Series C, reel 1, "ACTIVITY REPORT FROM JULY 10 TO AUGUST 20, 1954 [Mildred Bond to Gloster B. Current]", 4.

⁶⁷Freyer, 41.

Blossom and the Board agreed to hold a hearing on the petition in early September.

The hearing was held on September 7, 1954. Branch members presented the Board with a second petition containing more signatures than the petition filed by Branton and requested that integration begin immediately. Again, however, they assured the Board that there was "no intention of a suit." They were accompanied by Branton, as well as representatives of other Little Rock interracial organizations (most likely the ACHR and the Little Rock Urban League, which also favored a degree of immediate desegregation in the Little Rock schools).⁶⁸

Blossom responded by outlining a tentative program for the desegregation of Little Rock's schools, emphasizing that important studies undertaken for the development of a successful desegregation plan would be completed within the next month or two. His program, which would become known as the 'Blossom Plan', called for the integration of Little Rock's public schools to begin in the fall of 1956 at the high school level. The reason for the delayed implementation, Blossom said, was to allow for the completion of a new school building in eastern Little Rock which would serve as an integrated high school. Integration would begin in the junior high schools in 1957, and then later in the elementary schools. The entire process would take approximately six years.⁶⁹ In the meantime, the Board planned to establish one set of school attendance zones which would be utilized to assign students regardless of race.⁷⁰

⁶⁸Papers of the NAACP, Part 3 Series D, reel 1, "Report of the Little Rock, Arkansas, Branch on Desegregation Activities, August 30 [1954]", 1; Freyer, 41; Record and Record, 286.

⁶⁹Record and Record, 286.

⁷⁰Ibid.; Freyer, 41; Papers of the NAACP, Part 3 Series D, reel 1, "Report of the Little Rock, Arkansas, Branch on Desegregation Activities, August 30 [1954]", 1;

The Little Rock NAACP supported Blossom's plan, though not wholeheartedly. A minority within the Branch still favored pushing the School Board to move more quickly, though it is unclear what tactics they had in mind. The majority within the Branch, however, was wary of unduly pressing a School Board that had voluntarily undertaken to comply with the *Brown* ruling. Moreover, they sincerely believed that desegregation in Little Rock might serve to show the rest of the South how it should be done. They pointed out that significant school desegregation would occur under the Blossom Plan, though the process would take several years.⁷¹ That fall, explained NAACP member Georg Iggers, officers of the Little Rock Branch "continued to keep in touch with the Board and the Superintendent, indicating their support for the program and urging that the necessary steps for its realization be taken as quickly as possible."⁷²

Many members of the local Branch took it as a good sign that the Board even granted a hearing. Of the fourteen School Boards in the state of Arkansas petitioned by the NAACP, only six granted hearings for local chapters. In Arkansas, wrote NAACP educational specialist Vernon McDaniel, "responses of the School Boards to desegregation petitions were neutral or negative."⁷³ This consideration, coupled with the relatively progressive actions and pronouncements of the Board, convinced most members of the Little Rock Branch that the Board was indeed acting in 'good faith.'

That fall, Superintendent Blossom began actively to publicize the Blossom Plan and work for its acceptance by the greater Little Rock

Ibid., Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 1.

⁷¹Record and Record, 287.

⁷²Ibid., 286; Freyer, 42.

⁷³Papers of the NAACP, Part 3 Series C, reel 17, "The Status of Desegregation in Arkansas—Some Measures of Progress, by Vernon McDaniel, POINTS OF DEPARTURE", 4-5.

community. Before white, black, and interracial audiences, he delivered over two hundred speeches outlining the plan and answered questions. For the most part Blossom's presentation was well-received, and there was little public criticism of his plan.⁷⁴ Opponents existed, however, on both sides. Blacks were increasingly wary of the way Blossom emphasized token compliance with the *Brown* decision when selling his plan, rather than unconditional desegregation. Blossom hinted that the Board would maintain a high degree of segregation, which he argued would ameliorate the difficulties of the process, by overseeing the selection of the black applicants. This seemed like hedging on the part of the Superintendent to many Little Rock blacks. Segregationists, for their part, opposed the plan simply because it would desegregate the city's schools. Still, outspoken criticism came only from a small minority. Blossom seemingly convinced the city's residents that his plan represented the minimum the courts would allow and the maximum Little Rock whites would accept.⁷⁵

Even as he was selling the Blossom Plan, however, Superintendent Blossom was paying very close attention to the pronouncements and actions of state education authorities and politicians. In late September, State Education Commissioner Arch W. Ford stated that the Arkansas *amicus curiae* brief to be filed with the Supreme Court in connection with the implementation decree for the *Brown* decision "will be an effort to point out proper ways of implementing it [*Brown*] in Arkansas." Filed in the late fall of 1954, the brief argued that local considerations should weigh most heavily in the implementation process and that the Supreme Court should not set a fixed date by which desegregation had to be effected. It strongly supported Blossom's

⁷⁴Record and Record, 286.

⁷⁵Bartley, The Rise of Massive Resistance, 255; Elizabeth Huckaby, Crisis at Central High (Baton Rouge: Louisiana State University Press, 1980), X.

ideas about minimal desegregation and hinted that an even more gradual plan would be acceptable.⁷⁶ Accordingly, Blossom started to revise the Blossom Plan in the late fall of 1954.⁷⁷ Blossom's plan would become more token as 1954 turned into 1955.

For the time being, however, everything seemed to be working out well for desegregation in Little Rock. Certainly the process would not occur as quickly as the local NAACP desired, but the School Board's plan provided for significant and voluntary desegregation, had won a degree of acceptance by Little Rock's white community, and would not require legal action to be implemented. Local blacks gave Blossom the benefit of the doubt and accepted the plan grudgingly.

Fall 1954

In the meantime, the National Office of the NAACP was in the process of expanding its field staff to help effectuate the desegregation process. During the fall of 1954, the National Office placed four new field personnel in the southern states to help with petitioning and community organizing. Chosen on the basis of past organizing experience and work in the field of education, these "education specialists" were trained by the National Office in New York City before heading South. The National Office directed them to work only on school desegregation projects. Officially employed by, and responsible to, the NAACP Legal Defense and Educational Fund, the specialists worked to implement the National Office's program for school desegregation.⁷⁸

⁷⁶Freyer, 34; Southern School News (Nashville: Southern Education Reporting Service), November 1954, 2; Southern School News, May 1955, 2; Southern School News, June 1955, 2.

⁷⁷Freyer, 35; Papers of the NAACP, Part 3 Series C, reel 17, "Press Release, April 14, 1955", 5.

⁷⁸Papers of the NAACP, Part 18a, reel 6, "Memorandum from Gloster B. Current to Thurgood Marshall"; Ibid., Part 18a, "ACTIVITIES AND TENTATIVE PLANS, A Report to the Legal Defense and Educational Fund, Inc. (National Association

Due to a limited supply of funds for these field representatives, the NAACP employed them as temporary staff and sent them only to states which fit specific criteria of the National Office. These criteria included, among other things, potential for successful desegregation work, a local need for national staff or outside help, and the importance of the particular state within the Association's larger plan for desegregation. Arkansas fit all of the above, and it received an education specialist in the fall of 1954.

The specialist sent to Arkansas was Vernon McDaniel, a black educator on leave from the Tuskegee Institute in Alabama. Appointed for a period of one year and assigned to focus specifically on school desegregation in Arkansas, McDaniel traveled throughout the state and helped to secure signatures for petitions and organize local blacks to press for desegregation. Based in Little Rock, McDaniel began much of his work in that community. McDaniel played a particularly important role in desegregation efforts in Little Rock in early 1955.

The Arkansas State Conference held its annual meeting of Branches in late October in Little Rock. Field Secretary Mildred Bond, while on assignment in Arkansas over the summer, had suggested that the conference be organized around school desegregation, and State president Daisy Bates followed through with this suggestion. The conference, which lasted from October 22-24, included workshops, strategies for organizing, presentations, and speeches. Attended by Branches from throughout the state, as well as national staff and national field representatives, the conference solidified the Arkansas State NAACP's stance on school desegregation and implored the state of Arkansas to begin desegregating its schools immediately, rather than waiting for the

for the Advancement of Colored People), By Vernon McDaniel, Little Rock, Arkansas, October 27, 1954", 1.

Supreme Court to rule on the implementation of the original *Brown* decree. On the final day of the conference, the Arkansas State NAACP adopted the implementation program of the national NAACP and stated that it would work with local School Boards until at least September, 1955, before taking legal action against those districts which had not yet made plans to desegregate.⁷⁹

During the annual meeting, the Arkansas State Conference also informed the national representatives in attendance of the precarious financial situation of the State Conference. A statewide fundraising campaign which ended the final day of the conference had been a failure, grossing less than one-tenth of its ten thousand dollar goal. Weak fundraising, coupled with high fees being charged by attorneys representing the NAACP in the petitioning process, produced a potentially disastrous situation for desegregation efforts within the state. National representatives, previously informed of the situation by Field Secretary Bond and cognizant of the importance of Arkansas in the desegregation process, resolved to fix the problem as quickly as possible. Bypassing normal Association procedure, Director of the Branches Gloster B. Current appealed to the national Committee on Administration to allow the State Conference to withhold half of its contributions to the national NAACP for state desegregation efforts.⁸⁰ Current recognized that such a move would set a precedent, but he nonetheless recommended approval of the state's request.⁸¹ Luckily for the State Conference, the National Office agreed.

Conclusion

⁷⁹Ibid., Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 1.

⁸⁰Ibid., Part 3 Series C, reel 1, "Memorandum to the Committee on Administration from Mr. Current", October 25, 1954, 1.

⁸¹Ibid., Part 3 Series C, reel 1, "Cross Reference Sheet, Arkansas School Cases, Oct. 1954".

By the end of 1954, the NAACP had developed a program to bring about the desegregation of the South's public schools. Passed down from the top of the Association's hierarchy, the program focused on community organizing rather than litigation and emphasized the NAACP's desire to effectuate school desegregation as quickly as possible. The National Office planned to oversee the process using the NAACP hierarchy, particularly State Conference supervision of local Branches. In Little Rock, the local Branch carried out relatively little desegregation work by the end of 1954. The Branch completed the petitioning process and began to organize the community to support immediate desegregation, but its influence within the community was mitigated by prior improvements in community race relations and a desire to maintain the harmony that these improvements had established.

Over the course of the next several years, however, support within the black community for the Association grew, as did the Little Rock Branch's role in community desegregation efforts. This occurred largely because the Little Rock School Board, in accordance with the desires of the city's white residents, worked to forestall immediate and substantial desegregation. Superintendent of Schools Blossom soon revised the Board's initial, moderate desegregation plan and developed a much more gradual program. His alterations heightened tensions in the black community, and raised doubts about the way Little Rock was working to desegregate its schools. Within the next year, these tensions would culminate in the filing of a suit by the local Branch contesting the legitimacy and sincerity of the School Board's desegregation plan. Events leading up to and including the suit would highlight the growing support of community blacks for the NAACP and its implementation efforts.

Chapter Two: Toward Filing a Suit, 1955

1955 proved to be a crucial year in Little Rock. It witnessed increased activity on the part of the local Branch of the NAACP, Little Rock and Arkansan segregationists, and the Little Rock School Board. During the year, each of these participants in the city's desegregation drama attempted to sell its ideas about the proper way to desegregate the city's schools, and each worked to undermine the opposition. The two key players, the NAACP and the School Board, came head to head late in the year, and the result set the stage for the battle of Little Rock.

The National Office: 1955

The National Office of the NAACP did not change its stance or its program as 1954 ended and 1955 began. The National Office remained optimistic about the prospects for desegregation in the South, and it pushed its Branches to continue to follow the implementation program outlined in 1954. Its directives promoted cooperation with local School Boards and community leaders. NAACP conferences, including the 1955 annual convention, attested to the perseverance of the National Office's outlook and were indicative of the national NAACP's perspective during early 1955.

The first conference of the new year was the 1955 Atlanta Conference. Held in late February, this conference affirmed the NAACP's position with regard to school desegregation and emphasized its desire for the implementation of the *Brown* decision at the earliest possible date. The Association reiterated that September 1955 had been chosen as its 'target', or most desirable, date for southwide school desegregation.¹ At the Atlanta Conference the NAACP also took the opportunity to condemn southern states

¹This position was shortly thereafter reflected in the NAACP's oral arguments during the Supreme Court's hearings on the implementation of *Brown*.

attempting to evade the *Brown* decision by passing segregation statutes in their state legislatures: "These undemocratic and unconstitutional methods will fail."²

The Supreme Court announced its ruling on the implementation of *Brown* on May 31. The ruling ordered states with segregated school systems to desegregate their schools "with all deliberate speed," but it failed to establish a specific time by which this had to be accomplished.³ Acknowledging that local considerations needed to be accounted for, the ruling also allowed for desegregation delays, for administrative and logistical problems, in school districts acting in "good faith." Local courts were to determine exactly what embodied "deliberate speed" and "good faith." In fact, the justices placed the responsibility of overseeing the entire implementation process on the federal district courts. The NAACP's position on implementation, calling for immediate desegregation, a set date by which desegregation had to be effectuated, and only minimal delays for local adjustments, was not accepted by the Supreme Court. Most observers viewed *Brown II* as a step back from *Brown*.⁴

The NAACP held a second Atlanta Conference, billed as an 'Emergency' Southwide Conference on Desegregation, in June, 1955. Coming on the heels of the *Brown II* decision, the conference focused on the consequences of this ruling, and what course of action the Association intended to take. Basically the NAACP used this conference as a forum to downplay assertions that *Brown II* represented a setback for the NAACP and its cause. The Association argued that the ruling clearly reaffirmed the original decision and ordered that desegregation take place as quickly as possible. Shortly after the conference,

²Papers of the NAACP, Part 3 Series C, reel 17, "Press Release, March 3, 1955, NAACP IN THE SOUTH WILL PRESS FOR FULL SCHOOL INTEGRATION BY FALL".

³Kluger, 744-47; *Brown v. Board of Education*, Topeka, KS, 349 U.S. 294 (1955).

⁴Kluger, 744-47.

the National Office reiterated this sentiment to its Branches: "make no mistake about it, this decision in no way cuts back on the May 17th [1954] pronouncement."⁵

Finally, the NAACP held its annual convention in late June. Held in Atlantic City, New Jersey, this conference provided the Association the opportunity to reassess the situation in the South and consider changes to its desegregation program. Rather than adopt changes, however, the NAACP opted to continue along the lines of its 1954 program and obstinately rejected any suggestions that *Brown II* represented a loss for the Association. The NAACP shored up and clarified procedures for desegregation work and reiterated its commitment to September 1955 as the date by which the South should integrate its schools.⁶ Thurgood Marshall addressed the assembly near the end of the convention, and declared that "it should be emphasized that we do not intend to back down one step from this program."⁷

Marshall's militancy at the annual convention foreshadowed a shift in NAACP strategy that would come by the end of the year. At the time, however, the National Office exhibited an unwarranted sense of optimism. In early June, the National Office declared that, "In the overwhelming majority of instances it can be expected that compliance without legal action will be the rule, perhaps grudgingly and reluctantly in some areas, but compliance,

⁵Quote is Papers of the NAACP, Part 3 Series C, reel 14 , "Directive to the Branches", June 4, 1955; See also Robert Carter and Thurgood Marshall, "The Meaning and Significance of the Supreme Court Decree," Journal of Negro Education (Washington D.C.: School of Education, Howard University), Volume 24 (Summer 1955), 400-03.

⁶Papers of the NAACP, Part 3 Series C, reel 12 , "NAACP Press Release, June 26, 1955", 1.

⁷*Ibid.*, Supplement to Part 1 (1951-55), reel 12 , "Thurgood Marshall to the 1955 Annual Convention", 5.

nevertheless."⁸ This sentiment, naive with hindsight, formed the basis for the NAACP's community approach to desegregation during 1954 and the first half of 1955.

By the fall of 1955, however, the Association was singing a different tune. Judicial rulings in mid-summer paved the way for the acceptance of more protracted school desegregation plans, which confounded the National Office.⁹ As a result, few southern schools desegregated that fall, and the NAACP's target date fell to the wayside. In early 1956, in a sharp break from its earlier, more conciliatory approach, the NAACP was forced to launch an all-out legal offensive against a number of southern states.

Little Rock

In the meantime, desegregation work carried on in Little Rock. Vernon McDaniel, NAACP Legal Defense and Educational Fund field specialist, worked long hours during the early months of 1955. Based in Little Rock, McDaniel attempted to educate, motivate, and organize the local black community. In concert with the local Branch, and carefully following the guidelines of the National Office, McDaniel sponsored a number of community events relating to school desegregation in the spring of 1955.

One arrangement McDaniel developed was a high school assembly program focusing on school desegregation. Organized in the early spring, this program allowed community residents of both races, including high school students, the opportunity to come together to discuss school desegregation, and the Little Rock desegregation plan in particular. The program was carried out primarily by the Little Rock NAACP, though the Arkansas Council on Human

⁸Ibid., Part 3 Series C, reel 14, "Memorandum to Emergency Regional Conference, from Roy Wilkins and Thurgood Marshall, June 4, 1955", 5.

⁹Ibid., Part 3 Series, reel 17, NAACP Press Release, July 22, 1955, 1-2; Finch, 193; *Briggs v. Elliott*, 132 F. Supp 776 (1955); *Carson v. McDowell County*, 227 F. 2d 789 (1955); *Frasier v. Board of Trustees*, 134 F. Supp 589 (1955).

Relations contributed to the effort. Though designed to reach both black and white Little Rock citizens, most participants were black. Explaining the program in a report to the National Office, McDaniel wrote, "The Assembly Program at Dunbar High School is one phase of a community-wide effort to orient the Negro community for desegregation."¹⁰

The first Assembly Program gathering took place on March 21. It drew approximately 120 white and black high school students. Billed as a youth forum meeting, the event allowed participants openly to discuss school desegregation and the problems it would generate. The gathering went well, and by its end the audience concluded that any negative reaction to the desegregation of Little Rock's schools would most likely come from adults, not the students themselves.¹¹ On April 4, McDaniel spoke to a crowd of black high school students at Dunbar High School, the all-black high school in Little Rock. He focused on preparing black students for the difficulties of enrolling in, and attending, a newly-desegregated school. McDaniel outlined the difficulties which the first Little Rock blacks to integrate the city's schools would surely encounter.¹² Most of all, he stressed the need to remain nonconfrontational in the face of inevitable mistreatment.

McDaniel and the Little Rock NAACP worked for the desegregation of Little Rock's public schools in other ways during the spring as well. One aspect of this undertaking involved minor restructuring within the Little Rock Branch of the NAACP to allow for more consensus in decision-making concerning desegregation activities. This change occurred in February, when

¹⁰Papers of the NAACP, Part 18a, reel 2, "PROGRESS REPORT, by Vernon McDaniel, Submitted to: Robert L. Carter", 3.

¹¹*Ibid.*, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 2.

¹²*Ibid.*, Part 18a, reel 2, "PROGRESS REPORT, by Vernon McDaniel, Submitted to: Robert L. Carter", 2.

the Branch's Executive Committee approved a plan to enlarge the Education Committee to include its own members. "Thus, on the problem of desegregation, the Executive Committee would act as a committee of the whole."¹³ Considering the relatively small size of the local Branch, and the already established importance of the Executive Committee, this move represented less a significant change than it might suggest—the Executive Committee dominated the affairs of the local NAACP.¹⁴

The local Branch also established a Committee on Desegregation that spring. Initially referred to as a separate 'organization', apparently to broaden the desegregation effort beyond the confines of the NAACP, the Committee was organized during March and early April. The Committee selected personnel and prepared materials to train them; it also contacted other community organizations expected to press for desegregation in Little Rock. The Committee held several interracial meetings at a community recreation center.¹⁵ NAACP leaders hoped the Committee would bring together interested parties and strengthen its position requesting complete desegregation at the earliest possible date.

The Little Rock NAACP also opposed a bill in the State Legislature aimed at undermining the *Brown* ruling. Legislators from eastern Arkansas had introduced a 'school assignment' measure designed to maintain segregation in Arkansas' public schools. Particularly vehement in their opposition to integration, eastern Arkansans would later play an important role in the confrontation at Little Rock's Central High. Many of the most influential east

¹³Ibid., Part 18a, reel 2, "A PROGRESS REPORT—by—Vernon McDaniel TO: Mr. Robert L. Carter", 1.

¹⁴This arrangement was typical of NAACP Branches. See St. James, A Case Study in Pressure Groups, 77-79.

¹⁵Papers of the NAACP, Part 18a, reel 2, "PROGRESS REPORT—by—Vernon McDaniel, TO: Mr. Robert L. Carter", 2.

Arkansan politicians lived in an area of the state known as the Delta, a football-shaped stretch of land which straddled the Mississippi River in southeastern Arkansas and northwestern Mississippi. The area was known throughout the South for its virulent racism and narrow-mindedness.¹⁶

The Little Rock NAACP, in concert with the Arkansas State Conference and other Branches, rallied to oppose the school assignment measure, and organized a number of supporters to testify against the bill and speak out for desegregation. Among its supporters was a group of ministers who appeared "to protest vigorously against pending segregationist bills."¹⁷ Other organizations from Little Rock—black, white, and interracial—showed up to support the NAACP and oppose the measures as well. In a report to the Association's National Office shortly thereafter, McDaniel wrote "We know now that the NAACP will not have to fight the desegregation battle alone."¹⁸

At the capitol, the NAACP flexed its political muscles. Together with its supporters, the NAACP informed the Legislature that the Association's influence with Little Rock black voters, and indeed black voters across the state, ensured that those legislators who supported the measure would have a more difficult time getting reelected during the next elections.¹⁹ The threat was not an empty one. The relatively large number of black voters in the state, particularly its capital city, apparently convinced a number of the legislators to reconsider their stand on the issue.²⁰ The bill passed the lower house, but in the Senate Max Howell from Little Rock led the forces which

¹⁶Ibid., Part 3 Series C, reel 9, Letter to Roy Wilkins from Daisy Bates, February 24, 1955, 1; Record and Record, 242.

¹⁷Campbell and Pettigrew, 64.

¹⁸Papers of the NAACP, Part 3 Series C, reel 17, "The Status of Desegregation in Arkansas—Some Measures of Progress, POINTS OF DEPARTURE", 12.

¹⁹Ibid., Part 3 Series C, reel 1, "Arkansas", 1.

²⁰Steven Lawson, Black Ballots: Voting Rights in the South, 1944-1969 (New York: Columbia University Press, 1976), 128; Freyer, 34.

attached an amendment to the bill delaying its implementation for two years. The amended bill passed. Commenting on the blow that these alterations dealt Arkansas segregationists, historian Tony Freyer wrote, "The defeat revealed the disunity of the state's segregationists and suggested both the influence and the temperament of certain Little Rock voters [i. e. Little Rock blacks]." ²¹ For the time being, Little Rock blacks were triumphant; when Arkansan segregationists united, however, their victories would become increasingly difficult to attain.

Arkansan Segregationists

In early 1955, segregationists established organizations in Little Rock and elsewhere in the state. Possibly in response to the goings-on in the Arkansas State Legislature, an organization named White America, Inc., filed its incorporation papers with the Secretary of State of Arkansas in early February. The papers read: "Object: segregation." ²² Based in Little Rock, this organization preceded and foreshadowed the development of the Arkansas Citizens Councils. In fact, on the group's legal staff was Mr. Amis Guthridge, a Little Rock lawyer and businessman who would later become instrumental in the Capital [Little Rock] Citizens Council. For the time being, White America busied itself attempting to recruit members and trying to initiate a rise in the segregationist sentiment of Little Rock.

In April, the Capital Citizens Council (CCC) was formed. A member of the Arkansas Association of Citizens Councils, the organization focused its attention on Little Rock, and specifically on the issue of school desegregation within the city. The CCC was comprised of a diverse collection of Little Rock citizens, though its support came mostly from middle- and lower-class whites.

²¹Freyer, 34.

²²Papers of the NAACP Part 3 Series D, reel 1 , "Little Rock: The Chronology of a Contrived Crisis", 1.

Historian Numan Bartley explained, "Ministers, lawyers and occasionally independent businessmen were most prominent among the organization's leadership, with ministers, mainly of Missionary Baptist faith, probably the most active single group."²³ At this point, however, the CCC enjoyed little support within the Little Rock community, and it never attracted members from the city's leadership. Still, one must be careful not to underestimate its influence. Bartley has asserted that, "the Capital Citizens Council undoubtedly voiced the prejudices of large numbers of [Little Rock's] white residents."²⁴

The CCC, White America, and segregationists in general benefited from a showdown during the summer of 1955 in Hoxie, Arkansas. On June 25, the Hoxie School Board unanimously voted to desegregate the community's public schools beginning in the summer session, a move which incorporated twenty-five blacks into a previously all-white school system. The Board chose to do this voluntarily—for financial, ethical, and legal reasons. Desegregation occurred, and for three weeks things went smoothly. Then, with little warning, local segregationists organized and began to exert pressure on the Board and local blacks. In late July segregationists pressed the Board into reconsidering its decision to integrate the public schools, though the Board chose to hold its ground.²⁵ Shortly thereafter, Hoxie segregationists organized a large outdoor rally and called in cohorts from across the state. Amis Guthridge, from Little Rock, delivered a rousing speech, and the five hundred people who attended were subjected to the militancy of the newly-elected state chairman of White America.²⁶ The following week, Guthridge convinced the Board to meet with him, and he took the opportunity to present it with a

²³Bartley, "Looking Back at Little Rock", 107.

²⁴Ibid.; Freyer, 24.

²⁵Anthony Lewis, Portrait of a Decade (New York: Random House, 1964), 34.

²⁶Ibid.

petition demanding the Board's resignation. Nonetheless, the Board again held its ground, and the situation in Hoxie began to cool down. Several months later the battle switched to a new arena when the segregationists sued the School Board to maintain segregation.

Up to this point, segregationists in Arkansas had been fragmented and weak. Events in Hoxie, however, allowed them to build ties between organizations and individuals throughout the state.²⁷ Hoxie also gave them the opportunity to develop and try out techniques for persuading noncommittal whites to oppose integration. By late summer, "Segregationists had established a statewide organization with interstate connections capable of forceful resistance based on states' rights and systematic harassment."²⁸ In August, utilizing their increased strength, Arkansas segregationists met in Little Rock and called for a constitutional amendment requiring the maintenance of segregation in Arkansas.²⁹ Dubbed the Johnson Amendment, after Arkansan segregationist James Johnson, the measure would be approved by Arkansan voters in November of the following year.

By late 1955, segregationists were on their way to becoming a force in the state. Still, as 1955 came to a close, segregationists in Arkansas remained relatively weak. Even in eastern Arkansas, where they garnered the most support, the segregationists found many whites unreceptive. Making things more difficult was the stance of Arkansas' young and progressive Governor, Orval E. Faubus, and many of the states' politicians. These men viewed desegregation as a local choice, rather than a specter of unimaginable evil. Indeed, as Bartley points out, "some of the southeastern lowlands' most

²⁷Freyer, 24, 63.

²⁸Ibid., 67.

²⁹Ibid., 72.

influential spokesmen talked of local option and a flexible program designed to limit and control token social changes."³⁰

In Little Rock, the Capital Citizens Council remained on the fringe of the community throughout 1955. The organization increasingly received help and support from segregationist organizations around the state, but the CCC found Little Rock unsympathetic to its ideas. On the surface at least, most Little Rock residents favored the School Board's approach--token compliance with the law rather than open defiance. These citizens assumed that desegregation of the schools, as the law of the land, would occur. At the end of 1955, the CCC remained marginal; it would remain so until late 1956.³¹

The Little Rock School Board

The Little Rock School Board had attacked the issue of desegregation with vigor immediately after the original *Brown* decision. Superintendent Blossom, in fact, had followed the five desegregation cases carefully as they worked their way up to the Supreme Court, and he expressed no surprise when the Court ended school segregation in 1954. Blossom simply knew he faced a difficult job ahead. In 1954 he developed and promoted a desegregation plan for the Little Rock community. In 1955, after making revisions to this original plan, Blossom presented his revised plan to the School Board and gained its approval. Afterwards, he worked to secure community support for the plan, though often behind the scenes. Blossom feared inflaming emotions concerning such a delicate issue, and he felt the less the community actually discussed the Board's plan the better.³²

Blossom spent most of the fall of 1954 selling his original plan to the Little Rock community. He gave literally hundreds of public presentations

³⁰Bartley, The Rise of Massive Resistance, 101.

³¹Record and Record, 286.

³²Spitzberg, 52.

describing the plan and how it would be carried out. He explained that the plan was organized into three stages, each representing a different level of integration. The process would begin at the high school level and progress downwards—slowly but surely. In his presentations, Blossom emphasized the token nature of the plan, explaining that it was the minimum the courts would accept, while also being the maximum that the Little Rock community would tolerate. He focused his efforts on winning the support of Little Rock's whites, and he argued that a well-monitored selection process would maintain a high degree of segregation, while sparing Little Rock a legal battle over compliance. For the most part, Blossom's presentations went over well, though opposition existed on both sides.

Blossom revised the original Blossom Plan in the fall of 1954. His revisions, announced in the spring of 1955, brought the Blossom Plan into close conformity with the state of Arkansas' brief for the Supreme Court's *Brown II* hearing. Developed in part by R. B. McCulloch, an attorney from eastern Arkansas, this brief stressed the need for local flexibility and gradual compliance. McCulloch stated, "What I *don't* want is for the Supreme Court to fix a definite deadline for the completion of integration in all the schools."³³ McCulloch and Tom Gentry, the Attorney General of Arkansas, argued that the best solution for the Supreme Court would be to allow the United States Congress, which held the power to enforce the provisions of the Fourteenth Amendment, to control the implementation of its decision.³⁴ Basically, the state desired that desegregation be allowed to take place gradually, with some

³³Freyer, 34.

³⁴*Amicus Curiae Brief of the Attorney General of Arkansas, Brown v. Board of Education*, 347 U.S. 493 (1954), 14-15.

schools being allowed to remain segregated for the indefinite future.³⁵

Arkansas supported an elastic interpretation of the original *Brown* decision.

Superintendent Blossom, following McCulloch's lead, stressed the need for flexibility in the desegregation of Little Rock's schools. His revised plan, announced six days before the announcement of *Brown II*, contained no fixed dates for desegregation or specific instructions concerning how the Board would choose which blacks would attend the previously all-white schools. The revised plan, dubbed the Phase Program, also pushed back the tentative date of desegregation in the city to September, 1957 because of construction projects within the district. That year desegregation would occur in the city's high schools, to be followed by the junior high schools in 1960, and the elementary schools in 1963. The Superintendent emphasized that these dates were tentative. Also, when desegregation did occur, it would be minimal. Thus, when the Supreme Court decided *Brown II*, and indirectly sustained the gradualist, community-centered approach to desegregation (along the lines of McCulloch's brief), it indirectly sanctioned the Phase Program.³⁶

Superintendent Blossom felt as if his revisions had been vindicated.

Little Rock's white community reacted favorably to the alterations. It especially appreciated the incorporation of a transfer provision, which would allow students of either race the option to transfer from any school in which they were a minority. This would insure that the almost-completed black high school, Horace Mann High School, would open almost entirely black, and that whites would not be forced to attend it. Blossom's rigid screening process also promised to reduce sharply the number of blacks who would be allowed to attend the high school chosen for desegregation, Central High School. Finally,

³⁵*Ibid.*, 21-22.

³⁶Freyer, 35.

a white high school in western Little Rock, Hall High School, would remain segregated. Blossom pleased the large majority of Little Rock's white citizens by reducing the impact and significance of desegregation.

Blossom's plan limited attendance at Hall High School to whites who resided in an exclusive neighborhood in the western part of the city called Pulaski Heights. Because of this, upper-class whites would not have to cope with the emotional and physical trials of desegregation, while middle- and lower-class whites would have to experience them firsthand. Explains Bartley, "Thus the Phase Program insured that much of Little Rock's civic leadership was effectively isolated while those white citizens most likely to hold strong racial prejudice were immediately involved."³⁷ When the white community named Superintendent Blossom "Little Rock's Man of the Year" in late 1955, then, this was really an expression from the elite of Little Rock, those with the influence and the power to make such choices.³⁸ Nonetheless, all of Little Rock's whites supported Blossom's efforts to slow the pace of desegregation in Little Rock.³⁹

Little Rock Blacks and the School Board

As might be guessed, Blossom's modifications to the original desegregation plan upset blacks in Little Rock, especially the local NAACP. Local blacks and the Branch had originally accepted Blossom's work, though with reservations. When Blossom announced the changes in his desegregation plan, in late May, 1955, Little Rock blacks reappraised the situation and came to different conclusions than before. By fall, the majority of blacks within the community had come to question both the motives and intent of a School Board they had previously trusted. When the Little Rock

³⁷Bartley, "Looking Back at Little Rock", 103.

³⁸Blossom, 26.

³⁹Fayer and Flynn and Hampton, 36.

NAACP moved toward filing a desegregation suit against the Board in late 1955, it noted growing support in the black community for such a move.⁴⁰

Local blacks increasingly distrusted the School Board and its plan. One reason for the growing apprehension was the manner in which Blossom presented the desegregation plan to the general public. Hoping to gain the support of the white community, Blossom often stressed the minimalist nature of the plan. Then, when selling the plan to local blacks, he argued that the plan represented the maximum amount of desegregation the Little Rock community would accept. Initially blacks accepted this argument, partly because of Blossom's fancy presentations--replete with charts and graphs. Over time, however, Blossom's constant labeling of the plan as minimalism upset the blacks and led them to believe that Blossom was more interested in appeasing the white community than complying with the *Brown* ruling.⁴¹ Nat Griswold, director of the ACHR, explained, "'At first Blacks believed what Blossom said, but then they were completely disillusioned.'"⁴² The problem with his attempts to prepare the community was his emphasis on the small amount of desegregation that would occur under the Blossom Plan.

In addition, the black community and the NAACP disliked Superintendent Blossom's reluctance to work with individuals or organizations in the Little Rock community who were concerned about the issue of desegregation--black or white. Instead, Blossom took responsibility for the successful desegregation of the city's schools upon himself, and he shared this responsibility with no one.⁴³ He occasionally met with individuals from the community, and he presented his findings and planning publicly, but he

⁴⁰Record and Record, 287; Spitzberg, 53.

⁴¹Daisy Bates, The Long Shadow of Little Rock: A Memoir (New York: D. McKay, 1962), 51-52.

⁴²Spitzberg, 46, 53; Freyer, 18.

⁴³Spitzberg, 52, 46.

never actually worked with individuals or organizations who might have made the process flow more smoothly. In fact, after the Phase Program was announced and accepted by most of the city's white community, Blossom shied away even from accepting publicly-expressed support of the plan. When the local newspapers contacted him about running articles advocating the Phase Program, for example, Blossom politely asked them not to do so.⁴⁴ Apparently he believed that the less the community discussed desegregation, the better.⁴⁵

To blacks in the community and the NAACP, however, this seemed like determination on the part of Blossom not to consider their concerns and to incorporate their sentiments into the desegregation program. To some degree this was certainly the case. Blossom viewed the local NAACP as an organization of extremists, and he made a concerted effort to exclude its members from desegregation planning.⁴⁶ Nonetheless, Blossom's reluctance to work with others included all aspects of the Little Rock community, and the NAACP was wrong to think that it had been singled out for exclusion.⁴⁷ In the end, though, it was the Branch's, and the black community's, perception that mattered, and they felt left out.⁴⁸

Blossom's refusal to include community organizations in the desegregation planning especially upset the Little Rock NAACP. Following the directions of the National Office, the local Branch repeatedly made efforts to cooperate with the Board, rather than to be its antagonist. The Branch made it clear that it hoped to work with the Board on its desegregation plan, but its efforts, throughout 1954 and early 1955, produced no tangible results. In June,

⁴⁴Bartley, "Looking Back at Little Rock", 104.

⁴⁵Spitzberg, 54; Record and Record, 238; Campbell and Pettigrew, 18.

⁴⁶Fayer and Flynn and Hampton, 37.

⁴⁷Indeed, Blossom made a concerted effort to handle the issue of desegregation on his own, and he chose not to work with any community organizations. See Spitzberg, 52.

⁴⁸Record and Record, 287.

1955, State NAACP president Daisy Bates announced that Arkansan School Boards working in good faith and incorporating the local Branches into their desegregation planning would be spared from desegregation litigation.⁴⁹ The fact that the latter never occurred in Little Rock added to the sentiment that the local School Board cared less about desegregation than appeasing local whites.

The changes in the Blossom Plan announced in the spring of 1955 added to the disillusionment of the black community. More than any other single factor, these alterations caused blacks in Little Rock to lose faith in the School Board and its desegregation plan.⁵⁰ Dr. Georg Iggers, a white professor at a black college near Little Rock and a leader in the local NAACP, explained the effect of the Board's changes. In an essay describing the actions of the Little Rock NAACP in the 1950s, he wrote, "These drastic modifications of the original plan, undertaken without the advice or consent of the many Negroes who had been inclined to go along with the first proposal even if it left much to be desired, forced upon them the conclusion that the Board and the superintendent now intended to integrate the public schools only on a token basis, if at all."⁵¹

The NAACP and the black community expressed a number of specific reservations about the Phase Program. They especially disliked the plan's lack of fixed dates for desegregation. Blossom's vague wording, hinting at 1957 as the beginning date for desegregation, left local blacks unsettled and wary. This date, moreover, applied only to the first of the three stages of desegregation. When the remaining stages of integration, for elementary and

⁴⁹Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 2.

⁵⁰Record and Record, 287.

⁵¹Ibid.

junior high schools, would take place was unknown.⁵² The black community also expressed resentment that the plan failed to assign students to the schools nearest their homes. Instead, the plan proposed to establish a number of criteria, supposedly excluding race, to determine which students would attend which schools. The NAACP, for one, attacked this selection process as a sham, and it publicly expressed the opinion that race would be the primary consideration. Little Rock native Irving Spitzberg explained that, as a result of Blossom's revisions and the above considerations, the black community of Little Rock "became convinced that Superintendent Blossom was more interested in appeasing the segregationists by advocating that only a limited number of Negroes be admitted than in complying with the Supreme Court's decision."⁵³

The local Branch arranged a meeting with the School Board in late July to voice its concerns about the way desegregation was being handled in Little Rock. The Branch asked the Board publicly to discuss the Phase Program and announce the proposed dates for desegregation. At the meeting, the NAACP also took the opportunity to present the Board another petition demanding that desegregation begin that fall.⁵⁴ Basically, the group wanted to persuade the Board, which had not yet officially adopted the Phase Program, to reject it in favor of a more aggressive plan. As Mrs. Bates explained before the meeting, "'We have told Mr. Blossom that we are against his plan because it is too vague and it appears it will take at least five years or more to accomplish.'"⁵⁵

⁵²Bates, 52; Spitzberg, 47.

⁵³Spitzberg, 46.

⁵⁴Papers of the NAACP, Part 3 Series C, reel 1, "MEMO TO: MR. GLOSTER B. CURRENT, DIRECTOR OF BRANCHES, FROM: mildred l. bond", July 11-20, 1955, 1.

⁵⁵Ibid., Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 2.

The Board, though willing to listen politely, was not truly interested in what the Branch had to say. Superintendent Blossom made a point of acting courteously, but this was almost assuredly because he wanted to avoid an NAACP-sponsored suit contesting the Board's desegregation plan. Blossom tried to walk the fine line between limiting the inclusion of the NAACP in the desegregation process and being sued for completely excluding it. The Board listened to the NAACP's arguments and promised a written reply within the next week or two.⁵⁶ It then adopted Blossom's Phase Program.

A School Board hearing in North Little Rock that summer related to the situation in Little Rock. Facing a situation surprisingly similar to the one in Little Rock, the North Little Rock NAACP met with its School Board on July 14. The Board was in the process of deciding upon a beginning date for desegregation, and the NAACP wanted to press for the earliest possible date. Local Branch members, Mrs. Bates, and several community residents attended the meeting and requested that desegregation begin that fall. At the conclusion of the hearing, however, the Board voted to begin desegregation in the fall of 1957, a date the NAACP found utterly unacceptable. NAACP fieldworker Mildred Bond concluded, "Since this date is unsatisfactory to the NAACP, court action may be necessary."⁵⁷

Assuming correctly that the Little Rock School Board would respond in a similar fashion, the Little Rock NAACP stepped up its fundraising efforts in the weeks preceding its meeting with the Board. Coordinated by Bond, the fundraising effort was directed by a newly-established education fundraising committee. The money which the local Branch raised went into a bank account, maintained separately from the general account, which was

⁵⁶Ibid., Part 3 Series C, reel 1 , "Arkansas", 2.

⁵⁷Ibid., 1.

established for funding education lawsuits and related expenses.⁵⁸ This fundraising indicated a definite shift in the mindset of the local Branch, and it represented a more open consideration of legal action as a means to bring about an acceptable level of desegregation in Little Rock.

Toward Filing a Suit

Interestingly, about this same time the Arkansas State Conference began formulating a legal strategy with representatives of the National Office. In early August, Bates wrote to the NAACP's Southwest Regional Counsel, U. Simpson Tate. Bates requested that Tate visit Little Rock in the near future for a "strategy conference."⁵⁹ The two met that fall. At the meeting, Tate agreed to increase the number of lawsuits the Association would file in Arkansas, a decision he made public at the State NAACP's annual meeting in November.⁶⁰

The increase in the number of lawsuits to be filed in Arkansas also coincided with modifications in the National Office's desegregation program. Initially opposed to the idea of filing a number of lawsuits in the South to force desegregation, the Association had originally focused on cooperation with local School Boards and efforts to motivate local communities to accept desegregation. By late 1955, however, many staff members within the National Office, including prominent attorneys with the Association's legal arm, the Legal Defense and Educational Fund, Inc., believed that only a significant increase in litigation would hasten the implementation of *Brown*.⁶¹

⁵⁸Ibid., Part 3 Series C, reel 1, "MEMO TO: MR. GLOSTER B. CURRENT, DIRECTOR OF BRANCHES, FROM: mildred l. bond", July 11-20, 1955, 1.

⁵⁹Ibid., Part 3 Series C, reel 1, Letter from Mildred Bond to Robert Carter, August 9, 1955, 2.

⁶⁰Ibid., Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 3.

⁶¹Ibid., Supplement to Part 1 (1956-60), reel 1, "Board of Directors Meeting Minutes", October 10, 1955, 4.

This rethinking was invigorated by several court rulings in the summer of 1955 that allowed southern states to delay desegregation.⁶² The two most important decisions, handed down in the Fourth Circuit in July, concerned the implementation of *Brown II* in South Carolina and Virginia. These rulings involved two of the original five cases which comprised the original *Brown* ruling. The cases dealt with timetables for desegregation; the NAACP argued for court-mandated desegregation in the fall of 1955, and both Virginia and South Carolina argued for permission to operate segregated schools throughout the 1955-56 school term. Commenting on the importance of these cases early in the summer, NAACP attorneys Thurgood Marshall and Robert Carter wrote, "Certainly the hearings in these cases will be of major significance because these courts may be the first to give definite and specific content to 'a prompt and reasonable start' and 'good faith compliance at the earliest practicable date.'"⁶³

Unfortunately for the NAACP, the courts rejected the deadline and allowed delays in desegregation, though neither agreed to sanction desegregation for the entire 1955-56 school year. Still, the decisions led Roy Wilkins to predict that the result would be increased evasiveness on the part of other southern states. He hoped that the decrees "are not necessarily 'typical of what will happen throughout the South.'"⁶⁴

By mid-Fall 1955, the NAACP's National Legal Staff was also extremely frustrated by the limited desegregation that had taken place in the South. In October, after holding meetings throughout the region with its southern

⁶²Finch, 193; *Briggs v. Elliott*, 132 F. Supp 776 (1955) [South Carolina]; *Davis v. County School Board, Prince Edward County, VA*, 142 F. Supp 616 (1956) [Virginia].

⁶³Robert Carter and Thurgood Marshall, "The Meaning and Significance of the Supreme Court Decree," 400-01.

⁶⁴Papers of the NAACP, Part 3 Series C, reel 17, "NAACP Press Release", July 22, 1955, 1.

attorneys, the NAACP's National Legal Staff decided that "the only solution [to southern resistance] is to file law suits in every state."⁶⁵ This sentiment, coming from the well-respected attorneys who won the *Brown* decision in the first place, did not go unheeded by the Association. By late fall, the notion of filing suits to force southern School Boards to desegregate was gaining support within the National Office of the NAACP.

In Little Rock, however, concerns existed that were not often expressed on the national level. Some local members of the NAACP, to be sure, favored litigation to attempt to push the School Board to desegregate more quickly. In fact, some members of the local Branch had favored this position from the outset. Moreover, support for litigation in Little Rock increased over time. Still, a number of local blacks continued to entertain serious reservations about the effectiveness and/or appropriateness of litigation.

Black attorneys in Little Rock, for example, opposed filing litigation in school districts that voluntarily made any attempt to desegregate their schools.⁶⁶ Wary of appearing too militant in local communities, these attorneys favored a more conciliatory approach. Their hope was that local School Boards, particularly in communities as progressive as Little Rock, would continue to work toward desegregation without having to be prodded by a 'militant' NAACP. They also expressed concern that token desegregation plans would be upheld and legitimized in court, which would defeat the purpose of litigation and retard genuine racial progress. Little Rock's black attorneys also saw token desegregation as a victory for local blacks.⁶⁷ At the very least,

⁶⁵Ibid., Supplement to Part 1 (1956-60), reel 1, "Board of Director Meeting Minutes", October 10, 1955, 4.

⁶⁶Freyer, 42.

⁶⁷Ibid., 42-43.

they argued, token desegregation would initiate the integration process, and this process would pick up steam over time.

By late fall, however, support for filing a suit against the Little Rock School Board came to outweigh opposition in the black community. Blacks who had before been willing to wait and see how the Board would handle the matter realized that the Board and the community were determined to delay and minimize desegregation for as long as possible. Virgil Blossom's unwillingness to consider suggestions or concerns from the black community heightened their distrust and resentment, and contributed to the sentiment that litigation would be the only way to ensure desegregation in a reasonable time. Nat Griswold, director of ACHR, later explained, "The posture which the Superintendent and the School Board took caused distrust in the Black community."⁶⁸

Within the Little Rock NAACP, too, sentiment grew in support of filing a suit. Blossom's unwillingness to work with the Branch played a crucial role, as did the revisions made to the original Blossom Plan. Executive Board Chairman Georg Iggers explained that sentiment shifted in favor of a suit "not because it [the Little Rock NAACP] rejected a moderate program of integration but because slowly but surely it had lost confidence in the good faith of the Board to implement voluntarily any program that would bring an end to the so-called 'separate but equal' system."⁶⁹ By late fall, the majority of members within the Branch viewed litigation as the only way to secure even the minimal desegregation that Blossom had promised the community a year earlier. Iggers insisted that the NAACP believed that a suit, "was the sole

⁶⁸Spitzberg, 46.

⁶⁹Record and Record, 284.

course in the circumstances, unless they were willing to abandon for an indefinite time all attempts to secure public-school integration."⁷⁰

The Phase Program's provision that Little Rock's new high school, Horace Mann High, would open as a segregated institution in January, 1956, particularly incensed the Branch.⁷¹ Its members believed that schools opening after the *Brown* decision should not be segregated. Branch members also opposed Blossom's system of distributing children within the school system. Rather than sending students to the schools nearest their homes, Blossom had developed an elaborate system of registration zones and attendance areas which ensured that blacks would only attend the schools nearest their homes if the school happened to be for blacks.⁷² Finally, and most importantly, the local NAACP opposed Blossom's Plan because of the lack of a definite starting date. The plan indicated only that desegregation "may start in 1957," which upset the NAACP. This concern contributed greatly to growing support for filing a desegregation suit. Mrs. Bates explained the importance of Blossom's noncommittal timetable: "the NAACP challenged the Blossom Plan because of the indefiniteness of the desegregation starting date."⁷³

Thus, in December 1955, the local Branch voted to file suit against the Little Rock School Board. Because of the reservations of some members, the Branch established three provisions which needed to be met before the suit would be filed.⁷⁴ The conditions required that a 'sufficient' number of local blacks attempt to register their children in Little Rock's all-white schools, that the Executive Committee raise three hundred dollars to pay for an attorney by

⁷⁰Ibid., 288.

⁷¹Ibid., 289.

⁷²Ibid., 12.

⁷³Spitzberg, 47.

⁷⁴Record and Record, 289.

the late January opening of the newly-built Horace Mann High, and that the Branch secure the services of an inexpensive lawyer to file and present the NAACP's case.⁷⁵ The Branch had discussed the possibility of filing a suit with Regional Attorney U. S. Tate earlier in the fall, and the Branch contacted him and told him of the decision. Due to the stance of the local black attorneys, the Branch also sought advice and help from Mr. Tate, which Tate agreed to provide.⁷⁶ Finally, the Branch contacted the National Office of the NAACP and informed it of the Branch's intention to sue. The National Office gave its approval, but it provided no direct input in the suit. The national NAACP left the handling of the suit to the local Branch, its attorney, and the Association's Regional Attorney for the Southwest.⁷⁷ That this would prove a mistake was not yet known.

⁷⁵Ibid.

⁷⁶Freyer, 42.

⁷⁷Ibid., 43.

Chapter Three: Rising Tensions, 1956

By 1956 major decisions had been reached in Little Rock. The School Board, ignoring the appeals of the NAACP, had decided on a token program of desegregation and proceeded to finalize its plans and seek support from the white community. In December 1955, the NAACP had abandoned its initial optimism and goodwill and voted to file suit against the School Board. Segregationists, still weak in Arkansas, opposed any desegregation whatsoever and worked to increase their influence within the state and its capital city.

The national NAACP had also reached important conclusions by 1956. As it noted the absence of desegregation which had occurred after *Brown II*, the Association realized that it needed to alter its approach. Troubled by the lack of southern cooperation, and upset with the lack of support from the federal government, the NAACP rejected its conciliatory approach in favor of widespread litigation.

The National Office

The National Office of the NAACP decided to pursue a different tact in the southern states by early 1956. During the previous year and a half, the Association had instructed its Branches to cooperate with local School Boards to bring about the implementation of the Supreme Court's desegregation rulings. In late 1955, however, the National Office chose to adopt the recommendations of its legal staff and sharply increase the number of desegregation suits filed in the South. This change in tactics resulted in a sharp rise in open southern resistance to desegregation, and pressure on the NAACP reached new heights in 1956.

The National Office announced its new policy shortly after the new year began. In a press release dated January 3, NAACP Special Counsel Thurgood Marshall noted the Association's dissatisfaction with the rate of southern

desegregation and declared that the National Office's legal staff would henceforth make itself available to more Branches requesting legal advice and assistance with desegregation litigation. Marshall made it clear that the Association's commitment to cooperation with local School Boards would continue where progress was being made, but the NAACP's shift in strategy highlighted the fact that such cooperation was rarely forthcoming.¹

The premise behind the Association's increase in litigation was that legal action, though detrimental to community relations at the local level, represented the most effective tool at the NAACP's disposal to effectuate school desegregation.² In light of events after *Brown*, the advantages of legal action, particularly its proven effectiveness for the NAACP, began to look more and more promising. By 1956, these advantages outweighed the limitations, and the National Office adopted widespread litigation as its national implementation strategy. "After having 'deliberately remained as quiet as possible on the school segregation issue since the May 31st ruling, the legal department is now ready to file suit in every community where such a suit is requested to secure compliance with the Supreme Court anti-segregation decisions,'" explained Mr. Marshall in January.³

This approach, however, was not without major drawbacks. The most significant was the subsequent rise in hostility toward the NAACP in the South. Because the increased amount of litigation forced the NAACP into the role of a more militant agitator for civil rights, segregationists were able to label the Association as radical, and thereby rally more supporters than they had

¹Papers of the NAACP, Supplement to Part 1 (1956-60), reel 2, "NAACP Press Release", January 3, 1956.

²David C. Thompson, The Negro Leadership Class (Englewood Cliffs, NJ: Prentice-Hall, 1963), 151; Carter and Marshall, "The Meaning and Significance of the Supreme Court Decree," 401.

³Papers of the NAACP, Supplement to Part 1 (1956-60), reel 2, "NAACP Press Release", January 3, 1956.

previously. Throughout the South, segregationist activity increased along with NAACP lawsuits, and the Citizen Councils led the way. Historian Thomas Brooks explains that Citizen Council activity "waxed as the NAACP pressed school desegregation cases in law courts throughout the South."⁴

Citizens Councils, however, were by no means the only organizations battling the NAACP and its efforts to desegregate schools. Nineteen fifty-six witnessed the initiation of state government-sponsored attacks on the Association as well. Beginning in Louisiana, in March, southern state legislatures passed numerous laws aimed at disrupting or shutting down NAACP activities in their states.⁵ Historian Davidson Douglas explains their rationale: "Although there had been some resistance to *Brown* during the first year following the decision, many southern politicians, understanding that political capital could be gained from resistance, began to take more aggressive postures of defiance in early 1956."⁶ These attacks forced the Association to divert precious resources, personnel, and funding to combat the new threat.⁷ Even so, state legislatures succeeded in shutting down NAACP operations in a number of southern states by late summer 1956.⁸ In the fall, the Association began a southwide membership campaign to replace members,

⁴Thomas R. Brooks, Walls Come Tumbling Down: A History of the Civil Rights Movement (Englewood Cliffs, NJ: Prentice-Hall, 1974), 128.

⁵Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Board of Directors Meeting Minutes", April 9, 1956, 7; Davidson M. Douglas, Reading, Writing, and Race: The Desegregation of the Charlotte Schools (Chapel Hill: University of North Carolina Press, 1995), 34; Lewis, 43.

⁶Douglas, 34.

⁷National Association for the Advancement of Colored People, 1956 NAACP Annual Report (New York: National Association for the Advancement of Colored People), 34; The Association's lack of political power in the South is covered in Bartley, The Rise of Massive Resistance, 213; Brooks, 128.

⁸Morris, 26-33.

funds, and resources lost in these attacks.⁹ As NAACP Executive Secretary Roy Wilkins put it, "We have had our hands full."¹⁰

The NAACP's emphasis on litigation also alienated moderate southern whites. Forced to choose between supporting or opposing integration lawsuits, most southern moderates retreated from the debate altogether, rather than choose the lesser of two evils. Even those whites sympathetic to Negro aspirations rarely favored the increased militancy of the NAACP, and the desegregation lawsuits invariably caused breakdowns in southern race relations.¹¹ In fact, many southern white moderates pleaded for the NAACP to slow down its desegregation campaign during 1956, but the Association refused. In April, 1956, in an editorial in the *Crisis*, the NAACP's self-published magazine, the Association responded to such calls for moderation: "Segregation, 'the Southern way of life,' is doomed," it read. The NAACP, continued the editorial, was resolved to end racial inequality, and if that required significant legal action, so be it.¹²

The Association set up a timetable for the new litigation at its Atlanta Conference in February, 1956. NAACP southern State Conference presidents attended the conference with their legal staffs, and representatives of the National Office were present as well. The Association's southern field secretaries, and the state presidents, presented reports on the desegregation situation to the conference's delegates.¹³ It quickly became apparent that eight southern states, not including Arkansas, were completely resisting

⁹Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Board of Directors Meeting Minutes", September 10, 1956, 6.

¹⁰Brooks, 129.

¹¹Record and Record, 189.

¹²*Ibid.*, 200.

¹³Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, February 14, 1956", 5.

desegregation. The NAACP decided to concentrate its legal action in these states.¹⁴

Also at the conference, the National Legal Staff worked to establish a schedule for filing litigation in the chosen states. One of its goals at the conference was to determine the number and location of suits to file that spring.¹⁵ Invariably short on funds and essential resources, the National Legal Staff expressed wariness of spreading itself too thin. It discouraged NAACP Branches outside the eight states chosen for litigation from filing suits against their School Boards. Instead, it argued that "'much can be accomplished through further negotiations'" in these states.¹⁶ However, a Branch in one of these states had already decided to sue its School Board, and though it had the approval of the National Office, this Branch would receive little help from the national NAACP during the next several, crucial months.

Little Rock

In Little Rock, the decision to sue the School Board had already been made. The Branch had voted in December 1955 to file suit once it satisfied three prerequisites: obtaining an inexpensive attorney, garnering support and plaintiffs from the black community, and raising funds to pay for the suit. In early 1956, Branch members set about achieving these goals, and they quickly did. Afterwards, the Branch spent the spring and summer working with its attorneys on the logistics of the case, and working to increase support for its suit in the community. The Branch received little help from the NAACP's National Office.

¹⁴Ibid., Part 3 Series D, reel 3, "Special Report to *The New York Times*", February 20, 1956, 1. The eight states were Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia.

¹⁵Ibid., Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, February 14, 1956", 5.

¹⁶Ibid., Part 3 Series D, reel 3, "Special Report to *The New York Times*", February 20, 1956, Continued from Page 1 [no page number given].

The Branch's fundraising and registration efforts, however, did benefit from the help of a new field representative who began working in Arkansas in early 1956. Mr. Frank Smith, a Little Rock native, joined the National Office's Branch Department staff in January, and from Little Rock Smith helped organize the State NAACP's desegregation efforts.¹⁷ Despite his significant involvement in the early stages of the Little Rock litigation, Smith focused his attention and efforts on other Arkansan communities as the suit moved to trial. After the early fundraising and registration work, in fact, Mr. Smith played virtually no role in the Little Rock suit.¹⁸

For the first month of 1956, the Branch worked to fulfill the three conditions which it established when voting to sue the Board in December, 1955. The first provision stipulated that the Branch raise three hundred dollars by the late January registration deadline for the spring school term. This money was to pay for an attorney, and raising it proved easier than expected. The Branch raised its three hundred dollar minimum quickly, and then continued fundraising to accumulate additional funds. By late February the Branch possessed nearly thirteen hundred dollars, some of it from white sympathizers within the community.¹⁹

The second condition met by the Branch during January involved obtaining an inexpensive attorney. The Chairman of the NAACP's State Legal Redress Committee, Wiley Branton, agreed to represent the Branch for a modest fee.²⁰ Branton, one of the few black attorneys in Arkansas, hailed from Pine Bluff, southeast of Little Rock. His work as Chairman of the Legal

¹⁷Ibid., Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors", February 14, 1956, 4.

¹⁸Record and Record, 289. Smith's role in the suit was not unusual for a field secretary; see Papers of the NAACP, Part 3 Series C, reel 2, "Confidential Report on Field Work for Integration in Dallas, Texas", 1-2.

¹⁹Record and Record, 289.

²⁰Ibid., 290; Freyer, 44.

Redress Committee placed him in frequent contact with the Arkansas State Conference and the Little Rock Branch's Executive Committee, and he had worked with the Branch on its petition drive during the summer of 1954.

Securing the services of Branton proved especially fortunate for the Branch because its usual attorneys, Thad Williams and J.R. Booker, refused to file the desegregation suit for the Branch. Both of these attorneys disagreed with the decision to file suit. Williams in particular opposed the principle and direction of the suit. He feared that initiating legal action against the Board, which was voluntarily integrating its schools, would disrupt the city's progressive race relations. Furthermore, he argued that any suit filed should focus on desegregating the elementary schools, where no date for desegregation had been announced.²¹ Nonetheless, by early 1956 Williams and Booker, who belonged to the Branch's Executive Committee, were outnumbered by members favoring the suit and its direction.

During the early part of 1956, the Branch also worked to rally Little Rock's black community to demand desegregation. In order to file its suit, the Branch needed a number of local black parents to attempt to enroll their children in the city's public schools. Hoping to inspire local blacks to undertake such risky business, the Branch's Executive Committee went door to door through the black community in January. It explained the decision to sue and described what the process would involve.²²

Unexpectedly, the black community showed a high degree of interest in the suit. Many supported the decision to sue, and a dozen parents agreed to

²¹Freyer, 42-43.

²²Ibid., 43.

attempt to register their children in the public schools and become parties in the suit if the Board refused to enroll them.²³

The positive response to the NAACP's solicitations reflected increased support for more militant action from within the black community of Little Rock.²⁴ Just as militancy within the NAACP developed over time, so did support for this militancy within the black community. Thus by 1956, the community expressed a willingness, even a desire, to risk more in order to achieve more substantial gains. During the Branch's fundraising efforts in January and February, this sentiment revealed itself as well. Historian Tony Freyer hinted at the significance of increased economic support for the local Branch; he wrote that this support indicated "a change of mood among the city's blacks."²⁵

Preparation for registering the children involved the Branch's Executive Committee, State Conference President Bates, and NAACP Southwestern Regional Attorney Tate. Because the Branch wanted to emphasize the principle of attendance based on proximity to school in its lawsuit, it had a number of children who lived near each of the white schools attempt to register. The Branch also sought to gain admission for blacks who hoped to take courses offered only at the white schools, and these students were also encouraged to register.²⁶

Because Little Rock's newly-built Horace Mann High School was scheduled to open as a segregated institution in late January, the Branch carried out its registration and legal work quickly. Registering the plaintiffs in late January coincided with the scheduled opening of this school, and the

²³*Ibid.*, 45; *Papers of the NAACP*, Part 3 Series D, reel 1, Letter from Daisy Bates to Wiley Branton, August 30, 1962, 1.

²⁴Freyer, 45; *Record and Record*, 289.

²⁵Freyer, 45.

²⁶*Record and Record*, 289-290.

timing indicated a primary motive for the suit. The Branch hoped to force Horace Mann to open as a desegregated school. To do this the Branch worked quickly.

The attempt to register the children took place on January 23. That morning, J.C. Crenchaw, President of the Branch's Executive Committee, and State Conference President Bates led twenty-seven black children of various ages to Superintendent Blossom's office.²⁷ The group requested that Blossom enroll the children in the city's public schools and, as expected, Blossom refused. He explained, "I cannot permit such registrations. We are going to follow the School Board's plan of gradual integration."²⁸ After being refused enrollment in the white schools, the parents of the children formally requested legal representation from the Little Rock Branch of the NAACP. The Branch agreed, and following NAACP procedure, it appealed to the State Conference for assistance, which was granted.²⁹ Gathering community support fulfilled the last of the three preconditions the Branch had established for filing suit.

Filing The Suit

Attorneys for the Branch filed the lawsuit with the Federal District Court of Eastern Arkansas on February 8, 1956. The plaintiffs, thirty-three black children denied admittance to Little Rock's white schools in late January, ranged in age from six to twenty-one, and represented a variety of socio-economic backgrounds. The suit listed the President and Secretary of the Little Rock School District, Superintendent of Schools Blossom, and the school district

²⁷Blossom, 27; Papers of the NAACP, Part 3 Series D, reel 1 "Little Rock: The Chronology of a Contrived Crisis", 4.

²⁸Blossom, 28.

²⁹Papers of the NAACP, Part 3 Series D, reel 1, Letter from Daisy Bates to Wiley Branton, August 30, 1962, 1.

itself as defendants.³⁰ Aaron v. Cooper received its name from the President of the Little Rock School Board, William G. Cooper, and the first-named plaintiff, John Aaron.³¹

The lawsuit attacked the gradual nature of the Blossom Plan and contended that the Little Rock School Board had not taken steps to desegregate its schools "with all deliberate speed."³² The complaint sought the enrollment of the thirty-three plaintiffs on the ground that, were it not for racial discrimination, they would normally attend the schools nearest their homes. Instead, Little Rock bused black children across town to attend segregated schools.³³ The Branch also argued that the Board's revisions to the original Blossom Plan represented an unwillingness on the part of the Board to undertake meaningful desegregation at the earliest possible date in accordance with the law of the land. The Branch argued that "segregation placed heavy burdens on black children and denied them educational opportunity."³⁴

The suit further argued that the Board, acting in accordance with segregation laws promulgated by the State of Arkansas, had violated the principle of the *Brown* decisions. It asked that the court issue an injunction against the Board and any other officials responsible for school desegregation to prevent them from basing Little Rock's desegregation plan on Arkansas state law, or any other state provision or ordinance that might require racial discrimination or segregation. The suit argued that the School Board's

³⁰Freyer, 45.

³¹Race Relations Law Reporter (Nashville: Vanderbilt University, School of Law), Volume 1 (October 1956), 851.

³²Blossom, 28; Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 4.

³³Race Relations Law Reporter, October 1956, 852.

³⁴Freyer, 53.

desegregation plan, because it had been based on unconstitutional statutes, was itself unconstitutional. The only recourse would be to start anew.³⁵

The National Office

The National Office of the NAACP played virtually no role in the initial stages of the Little Rock litigation. The office did review the Aaron briefs prepared by Branton and Tate, but they neglected to take part in preparing or directing the suit.³⁶ The lack of involvement by the National Office occurred partly because of the hierarchical structure of the NAACP. Responsibility for local suits fell primarily upon the shoulders of the NAACP's State Conferences, which were instructed by the National Office to work closely with the NAACP's Regional Attorneys. The National Office hoped to avoid being labeled an "outside agitator" that came into local communities to stir up trouble by filing desegregation suits. It therefore avoided becoming involved at the local level when possible. Particularly important cases, or incompetent local attorneys, might involve the National Office in a case, but generally such legal work was left to the State Conferences and their Branches. Cases reaching the appellate level of the federal courts, however, automatically warranted the consideration of the National Office. When Aaron v. Cooper reached this stage, the National Office, following procedure, became involved.³⁷ Until then, established protocol meant that the National Office would not become involved, even though the National Office directed the litigation process from above.³⁸

The NAACP's Regional Attorneys bore the responsibility of ensuring the legitimacy and soundness of local suits. The Regional Attorneys were also

³⁵Race Relations Law Reporter, October 1956, 851-52; Freyer, 57.

³⁶Freyer, 51, 61 [Endnote 38]. This protocol appears to be the standard operating procedure for the Association; see St. James, A Case Study in Pressure Groups, 120.

³⁷Finch, 59; St. James, A Case Study in Pressure Groups, 119.

³⁸For example, suits were not to be filed without the approval of the National Office.

supposed to help file the suits and argue them in court. More than anyone else, these attorneys acted as the link between the National Office and the local level.³⁹

U. Simpson Tate served as the NAACP's Southwest Regional Attorney, which included Arkansas at the time the Little Rock Branch filed its suit. As Regional Attorney, Tate monitored the litigation of six southern states.⁴⁰ He often traveled the Southwest performing his duties, and he met with the Arkansas State Conference in the fall of 1955 to help plan its litigation. Still, relations between the Little Rock Branch, the Arkansas State Conference, and Tate waned during the course of 1956. Tate, busier than ever because of segregationist attacks on the NAACP in the Southwest region, struggled to meet his responsibilities to the Branch. Efforts by the Branch to meet and plan strategy with Tate in early 1956 failed, as did efforts to bring him to Little Rock a few days before the trial was to begin.⁴¹ Tate was simply too busy to handle the Little Rock case properly, yet the National Office seemed never to have recognized the problem. Explained historian Tony Freyer, "During much of the preparation of the suit Tate had been less than totally involved and committed, and that behavior continued until the trial began."⁴²

In addition, there was evidence that Tate and the National Office expressed some concern about the focus of the Branch's case. Intent on securing desegregation within Little Rock, the Branch shied away from testing the constitutionality of the Blossom Plan and accepted the idea that the Board planned to desegregate, though at its own pace.⁴³ It hoped to obtain the

³⁹Papers of the NAACP, Part 3 Series C, reel 4, Letter from Thurgood Marshall to Mr. Al Kuettnner, United Press, August 15, 1955, 1.

⁴⁰Bates, 2.

⁴¹Record and Record, 290.

⁴²Freyer, 56; Record and Record, 290.

⁴³Freyer, 56.

admission of its thirty-three plaintiffs rather than challenge the Board's intent to comply with *Brown*.⁴⁴ The National Office, via Regional Attorney Tate, on the other hand, stressed the argument that the Board followed segregationist state laws when drawing up its desegregation plan, and that the plan was therefore unconstitutional. Both of the above arguments were incorporated into the suit filed against the Board; but during the trial, disagreements between the Regional Attorney and the Branch became all too evident. Ex-Executive Committee President Georg Iggers, a local white involved in the Branch, later recalled that: "neither the NAACP attorneys nor the National Office was entirely enthusiastic about the type of suit the local Branch had in mind."⁴⁵

Finally, and most importantly, the National Office's policy of increased legal action in the South focused solely on states completely resisting school desegregation, a category in which Arkansas did not belong.⁴⁶ Thus, although the Association's new emphasis on legal action to force compliance in the South was in line with the developments in Little Rock, the National Office shifted its attention to the Deep South at the same time that legal action in Little Rock was picking up steam. At the Atlanta Conference in February, the National Office encouraged states not chosen for litigation in the spring of 1956 to redouble their efforts at negotiation; in June the National Office directed states outside of the Deep South "to redouble their efforts to negotiate with their local school boards to secure desegregation within a reasonable time and to proceed with such negotiations as long as the local board is acting in good faith. *In those states legal action in the courts is only to be used as a*

⁴⁴Ibid.

⁴⁵Record and Record, 288.

⁴⁶Papers of the NAACP, Part 3 Series C, reel 4, Letter from Thurgood Marshall to Mr. Al Kuettner, United Press, August 15, 1955, 1.

last resort [emphasis added]."⁴⁷ The National Office's decision to focus on the Deep South left Little Rock, which was already involved in the process of legal action, without the support it desperately needed.

Aaron v. Cooper

Virgil Blossom and the School Board reacted swiftly to the filing of the desegregation suit. On February 29, the Board asked the court to dismiss the NAACP's suit. This move proved unsuccessful. Shortly thereafter, Superintendent Blossom added four new attorneys to the School Board's legal staff to help with its defense. These attorneys, all from Little Rock, joined A. F. House, who had served as the Board's chief counsel since 1952.⁴⁸ Their job was to defend Blossom's desegregation plan against the NAACP's attack.

On March 1 the School Board responded to the Branch's suit.⁴⁹ In a reply filed with the court, the Board denied that it had based its desegregation plan on any Arkansas state segregation law or policy, which the Board had regarded as invalid since May 17, 1954. The Board further stated that it intended to comply with the *Brown* decisions at the earliest practicable date.⁵⁰ The Board attached the revised Blossom Plan to its response, and it pointed out that desegregation delays in Little Rock resulted primarily from the construction of new schools, which *Brown II* permitted. Above all, the Board strove to show that its plan and its actions met the Court's requirement of "good faith."⁵¹

⁴⁷Ibid., Supplement to Part 1 (1956-60), reel 4, "Resolutions Adopted", 1956 Annual Convention, 8.

⁴⁸Freyer, 47. The attorneys were Henry E. Spitzberg, Frank E. Chowning, Richard C. Butler, and Leon B. Catlett.

⁴⁹Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "N.A.A.C.P. Legal Defense and Educational Fund, Inc., Monthly Report, March 1956", 2.

⁵⁰Race Relations Law Reporter, October 1956, 852.

⁵¹Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "N.A.A.C.P. Legal Defense and Educational Fund, Inc., Monthly Report, March 1956", 2.

On March 9, the Board served notice of the taking of depositions upon the Branch's president and the president of the State Conference. The Board ordered the two to appear on April 2, and subpoenaed them to produce all correspondence between the State Conference and the National Office of the NAACP between May, 1954 and April, 1956.⁵² The latter request reflected the Board's belief that the National Office of the NAACP, rather than the local Branch, was responsible for the lawsuit.⁵³

In late March the NAACP responded to the Board's requests. Its attorneys sought to free Crenshaw and Bates from having to appear for depositions, and the attorneys also tried to avoid the defendants' request for NAACP correspondence.⁵⁴ The attorneys hoped that arguing that Bates and Crenshaw were not themselves parties to the litigation would free them of any risky obligations. Eventually both efforts failed, and that spring depositions were set for May 4 and the trial for August 15.⁵⁵ By April, the case entered "the legal waiting stage," and both sides made final preparations for trial.⁵⁶

Other Branch Work. Little Rock. Spring 1956

During the spring of 1956, the Branch worked on several other desegregation projects. After the suit entered its "waiting stage," the Branch concentrated its efforts on other aspects of life in Little Rock. Some of the projects it undertook, such as the desegregation of housing, related directly to school desegregation, whereas others related to general improvements in the lives of the black citizens of Little Rock. All the while, the Branch kept a

⁵²Ibid.; Freyer, 47.

⁵³Record and Record, 288; Freyer, 50.

⁵⁴Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "N.A.A.C.P. Legal Defense and Educational Fund, Inc., Monthly Report, March 1956", 2.

⁵⁵Freyer, 50.

⁵⁶Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, March, 1956", 7.

sharp eye on the proceedings in the courtroom, and it continued to seek public support for its suit.

That spring, public housing became an issue in Little Rock. An urban renewal project in Little Rock raised the possibility of a low-income, all-Negro rental development in the city, and local blacks joined the NAACP in opposing the venture.⁵⁷ The Branch kept close tabs on the city's plans and relayed information to the National Office for consideration. By late spring, the Special Assistant for the Housing Department of the National Office was in contact with local Branch members, and together they began planning strategies to offset the urban renewal program. Both the Branch and the National Office feared the possible impact of increased residential segregation on the city's schools.⁵⁸

In addition, the Branch worked on the issue of segregated transportation that spring. On January 10, 1956, a Federal District Court ruling outlawed segregation in interstate travel and in those terminals which supported interstate travel.⁵⁹ This ruling, contested by segregationists, was upheld on April 23 by the Supreme Court. Immediately thereafter, the Little Rock NAACP encouraged the Citizen Coach Company, which operated the bus transit system in Little Rock and North Little Rock, to comply with the Court's ruling and avoid legal action. Speaking on behalf of the Little Rock Branch, Daisy Bates pressed the company to desegregate: "We hope the bus companies will voluntarily announce their plans for complying with non-discrimination

⁵⁷Ibid., Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, April 1956", 12; Ibid., Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, March 1956", 10.

⁵⁸Ibid., Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, March 1956", 10.

⁵⁹Catherine A. Barnes, Journey from Jim Crow (NY: Columbia University Press, 1983); *Browder v. Gayle*, 142 F. Supp 707 (1956) affirmed the Supreme Court in 357 U.S. 903 (1956).

in transportation--intra-state, intra-city, and city--thus making the transition from segregation to non-discrimination with the least publicity and commotion."⁶⁰ The Branch helped the National Office in its expanding attack on segregation.

In March, the Branch and other concerned citizens attacked Arkansas' delegates to the United States Congress for signing the "Southern Manifesto."⁶¹ The Manifesto, which had been signed by each member of the Arkansas delegation, supported resistance to the *Brown* decisions and argued that the original decision represented a "'clear abuse of judicial power.'"⁶² Local blacks, and a number of sympathetic whites, formed an organization called Arkansas Citizens for Orderly Compliance which presented the Arkansan congressional delegation with a petition demanding compliance with the law. The petition argued that the congressmen had done the state of Arkansas a great disservice by signing the Manifesto.⁶³

Finally, in late May, the Arkansas State Conference held an NAACP Planning Meeting in Little Rock. Organized to allow the State Conference the opportunity to review the actions of the spring and to outline future projects and goals, the meeting also gave National Office Field Secretary Frank Smith the opportunity to highlight the importance of Branch membership campaigns. Smith requested that Branches throughout the state focus on membership drives until mid-June, when the emphasis would be shifted to raising money for the National Office's annual fundraiser, the Fighting Fund for Freedom.⁶⁴ The focus on membership campaigns reflected the concern of

⁶⁰Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, April 1956", 8.

⁶¹Hays, 206-07.

⁶²Spitzberg, 38; Hays, 206.

⁶³Hays, 206.

⁶⁴Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, May 1956", 6.

the National Office that segregationist attacks on the Association in the South were costing the NAACP significantly—in terms of members, money, and resources.⁶⁵

The Taking of Depositions

The taking of depositions occurred in early May. Over the objections of the NAACP counsel, Judge John E. Miller allowed the defense to question Bates and Crenshaw on May 4. Leon Catlett, defense counsel, directed a total of one hundred twenty questions to the NAACP leaders.⁶⁶ He attempted to show the reasonableness of the revised Blossom Plan by eliciting specific responses from the Branch leaders. His efforts, for the most part, were unsuccessful. Neither NAACP leader remembered exactly when the Branch's Executive Committee voted to file the desegregation suit, or which Committee members voted for legal action. The two were also unable to produce Branch documentation of discussions concerning the suit. More often than not, the NAACP leaders answered the defense's queries by simply reiterating their personal views on desegregation—both agreed that they were not interested in any desegregation plan that did not provide for desegregation "now."⁶⁷

The deposition proceedings highlighted the difficulties the local Branch experienced with its legal representative from the National Office, Mr. U. S. Tate. That spring, the Branch repeatedly submitted requests for advice to the Regional Attorney which rarely yielded worthwhile responses, and Tate often seemed oblivious to the specifics of the Little Rock case.⁶⁸ In addition, Tate chose not to attend the depositions, though the Branch expressed the desire to

⁶⁵Ibid., Part 3 Series D, reel 3, "NAACP Board of Directors Resolution, April 9, 1956". This concern later proved quite justified; see Bartley, The Rise of Massive Resistance, 33-34.

⁶⁶Freyer, 52.

⁶⁷Ibid, 53.

⁶⁸Ibid, 51.

have both of its attorneys present. A member of the Branch's Executive Committee later wrote, "The handling of the Little Rock case and the developments in several other projected cases in the state were indicative of the serious lack of communications existing between the Little Rock branch of the NAACP and the attorney of the national staff."⁶⁹

A careful look at the proceedings also provides insight into the legal strategy of the Branch and its attorneys. During questioning, both Bates and Crenshaw emphasized the importance of immediate desegregation of the city's public school system. They expressed wariness over the Board's revised plan, which stated that "the school year of 1957-58 *may* be the first phase of this program [italics added]."⁷⁰ Bates and Crenshaw also argued that Little Rock's children should be allowed to attend the schools nearest their homes regardless of race. Bates said that the Phase Program would not remedy the current situation, where black children were bused across town to attend segregated schools. She expressed anger that blacks were "...being denied... the right to attend the school nearest their home."⁷¹ Attendance based on proximity played a major role in the Branch's legal strategy.

The deposition proceedings also made clear the objectives of the defense counsel. The defense's request for correspondence between the National Office and the Branch, made earlier in the spring, hinted at the Board's legal strategy and its ideas about who inspired the suit. The defense lawyers, perhaps influenced by the increasingly militant rhetoric flowing from the National Office of the NAACP, believed that the suit stemmed from the National Office and its desire to increase the amount of desegregation litigation filed in

⁶⁹Record and Record, 290.

⁷⁰Race Relations Law Reporter, October 1956, 854.

⁷¹Freyer, 53.

the South.⁷² Catlett's questioning tried to make this connection, but he succeeded only in showing that the Branch had filed suit based on the convictions of its members. NAACP attorneys Branton and Tate suspected the defense team's error earlier that spring, and their beliefs were confirmed by the defense's insistence upon the submission of correspondence between the Branch and the National Office, and Catlett's line of questioning. In reality, the motivation for the suit came entirely from the Branch itself, and if anything the National Office avoided involvement.⁷³

One incident at the deposition proceedings heightened tensions which were already strained. During his questioning of Bates and Crenshaw, Catlett occasionally referred to the NAACP leaders as "niggers."⁷⁴ Catlett also referred to the State Conference president by her first name during the proceedings, which angered her. Bates and Crenshaw expressed dissatisfaction during the proceedings, but to no avail. Shortly after their conclusion, the two issued a public statement protesting the defense attorney's behavior, and attempted to rally support for their cause in the black community. They wrote that the incident "...shows clearly the contempt in which he holds us [blacks] and the determination to which he would relegate us to second-class citizens."⁷⁵

The period between the taking of depositions and the trial itself was spent preparing and submitting briefs to the court. The plaintiffs pushed for a decision defining the children's rights and an injunction barring the Board from enforcing state segregation laws. They also emphasized their disagreement with the Phase Program and argued for school attendance based

⁷²Ibid., 50.

⁷³Ibid., 58.

⁷⁴Ibid., 54.

⁷⁵Ibid.

on proximity rather than race.⁷⁶ The defendants, in turn, maintained that the Board's desegregation plan complied with the *Brown* decisions and that it had not been formulated in accordance with any Arkansas state segregation statutes. They pointed out that the plan, intentionally made gradual and limited, provided for meaningful integration while at the same time preserving the quality of the city's public schools and the city's progressive racial atmosphere.⁷⁷

The Trial

Judge Thomas Trimble, originally chosen to hear the case, stepped down shortly after the suit was filed in February. Trimble officially disqualified himself as the presiding judge because his son was a lawyer for the defendants, but he had also expressed wariness about taking the case because of plans to retire in early 1957.⁷⁸ Judge John E. Miller, of Fort Smith, Arkansas, replaced him. Miller, appointed to the federal bench by Franklin Roosevelt, had been a successful politician before becoming a judge, and he was considered fair and competent by all concerned. He personally disagreed with the *Brown* decisions, but he vowed to apply them honestly and as best he could.⁷⁹ The trial began on August 15, 1956, in Little Rock.

The School Board's arguments at the trial focused on the reasonable nature of the Phase Program. In their opinion, the constitutionality of the Board's plan was not even in question. Chief Counsel House argued that the "only" question confronting the court concerned whether or not the Phase

⁷⁶*Ibid.*, 55; This had been one of the goals of the Branch when it decided to sue the Board—see Record and Record, 290.

⁷⁷Freyer, 55.

⁷⁸Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors", March, 1956", 7; Southern School News, "Arkansas' Governor Loses Appeal of Troop Use Case in Little Rock," (Nashville: Southern Education Reporting Service), May 1958, 6.

⁷⁹Freyer, 55.

Program showed that the Board was working toward compliance with the *Brown* decisions "in good faith."⁸⁰ He pointed out that the scheduled delays for desegregation were justifiable in light of the ongoing construction in the school district, and he stressed that the Board's plans had to be considered along with local conditions and attitudes.⁸¹ House argued that the Phase Program complied fully with the *Brown* decisions.

Relations between the Branch and Tate complicated things for the plaintiffs. Attempts to bring Tate to Little Rock to plan courtroom strategy failed, and Tate arrived in Little Rock the evening before the trial. Then, instead of working on a plan of action, Tate retired to bed for the night.⁸² In court the next day, Tate argued for the dismissal of the Phase Program on constitutional grounds, rather than following the Branch's emphasis on relief for the plaintiffs involved. Freyer explained that, "No reference was made to the vague, limited nature of the Phase Program or the hardships it created for black children."⁸³ A serious lack of communication and a dysfunctional working relationship between the Branch and the Regional Attorney boded poorly for the NAACP's chances.

Tate's arguments in court, however, reflected his and the National Office's legal strategy all along. Tate was determined to test the constitutionality of the Blossom plan, rather than following the suggestions and desires of the Branch. His hope was to persuade the court to strike down the Blossom Plan by showing its ties to unconstitutional Arkansas state laws. For its part, the Branch simply wanted to alter the Board's plan to ensure

⁸⁰*Ibid.*, 56.

⁸¹House referred to *Brown II*'s mention of "varied local school problems" to justify delays based on construction in Little Rock. Freyer, 55-56.

⁸²*Ibid.*; Record and Record, 290.

⁸³Freyer, 56; Record and Record, 290; Race Relations Law Reporter, October 1956, 859.

significant and substantial desegregation. By shelving the Branch's argument and focusing in court on the unconstitutionality of the Board's plan, Tate upset a number of people in Little Rock. After the court's decision was announced, the Branch expressed vocal disapproval about the way he handled the case.

On August 28 Judge Miller handed down his decision. His opinion traced the history of the city's desegregation efforts, and then ruled in favor of the defendants. First of all, he believed that there was no constitutional question involved. He accepted the Board's argument that it had not based its plan on segregationist Arkansas laws, and he pointed out that the Board had voluntarily undertaken efforts to desegregate the city's schools. He concluded that, "under the pleadings in this case there is no constitutional question involved. The defendants freely recognize their obligation to provide as soon as reasonably practicable integration in the defendant District."⁸⁴ From there, Miller reasoned that the only question was whether the Board's plan would adequately effectuate a nondiscriminatory school system within a reasonable amount of time. He believed it would. Acknowledging the significant delays in the Board's desegregation plan, Judge Miller sided with the Board's opinion that implementation of the plan should wait until the completion of the new school facilities. He concluded that, "the plan which has been adopted after thorough and conscientious consideration of the many questions involved is a plan that will lead to an effective and gradual adjustment of the problem, and ultimately bring about a school system not based on color distinctions."⁸⁵

Miller's opinion contained one small victory for the local NAACP. Miller ruled that desegregation would begin in the fall of 1957. Prior to the trial, that

⁸⁴Race Relations Law Reporter, October 1956, 853.

⁸⁵Record and Record, 26.

date had been uncertain. The Phase Program suggested 1957 as the date for initial desegregation, but its deliberately vague wording left the schedule unclear. In order to shore up its case, the School Board had leaned toward 1957 as a set date in the spring of 1956, and the argument it presented in court reflected this; Judge Miller's ruling, then, reassured the local Branch in at least one way--1957 became the established date for the desegregation of Little Rock's public school system.⁸⁶

The local NAACP, however, immediately expressed dissatisfaction with the court's decision. Even though Miller established September 1957 as the fixed date for desegregation, the Branch began work to appeal Judge Miller's decision. In early September the Branch asked the NAACP's Legal Defense and Educational Fund, Inc., for assistance in an appeal to the Eighth Circuit Court of Appeals. The Fund, in charge of deciding whether lost cases merited appeal, reviewed the case and agreed to assist the Branch. On September 21, 1956, attorneys for the Branch filed notice that they intended to appeal Judge Miller's decision.⁸⁷

In the weeks following the court's ruling, a guarded optimism settled over Little Rock. The decision seemingly resolved the issue of desegregation in the city, and many residents felt assured that peaceful desegregation would now take place. Even the city's two major newspapers, *The Arkansas Democrat* and *The Arkansas Gazette*, agreed that things looked rosy for the near future.⁸⁸ Common sense seemed to have prevailed—for the time being.

⁸⁶Race Relations Law Reporter, October 1956, 856.

⁸⁷Papers of the NAACP, Part 3 Series D, reel 1, Letter from Daisy Bates to Wiley Branton, August 30, 1962, 2; *Ibid.*, "Little Rock: The Chronology of a Contrived Crisis", 5.

⁸⁸Freyer, 58.

Other Branch Work, Fall 1956

During much of September, the Branch worked on membership drives and fundraising. Field Secretary Smith encouraged the Branch and helped it with these activities. Smith knew that increasing memberships would not only replenish NAACP support lost to segregationist attacks in the Deep South, but would also garner critical support for the local Branch. Branch members knew that fundraising would be critical for paying the Branch's part of the desegregation lawsuit and appeal.

In October the Arkansas State Conference held its Annual Meeting in Little Rock. The meeting, held to align local and state NAACP projects with National Office directives and resolutions, lasted from October 26-28.⁸⁹ Field Secretary Smith attended, and he led a discussion on the desegregation situation in Arkansas. Members of the Little Rock Branch were also present, and they informed other Branches about the results of Aaron v. Cooper, and the most recent goings-on in Little Rock.

In November and December the Branch carried on its work, begun that spring, to desegregate bus terminals. After it appealed to managers in Little Rock and North Little Rock to end segregation in their terminals, the Branch wrote letters to executives in the company which owned and operated the Little Rock lines. The Branch stated that since the terminal managers had said they had no control over the policies governing their facilities, the hope was that company executives would correct the situation from the top down. They received no replies from any higher-ups within the Citizen Coach Company.⁹⁰

⁸⁹Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board of Directors, October 1956", 9.

⁹⁰Ibid., Part 3 Series D, reel 1, Letter from J.C. Crenshaw to Mr. Gare Cobb, January 25, 1957.

Segregationists in Arkansas. Fall 1956

The fall of 1956 also witnessed an increase in segregationist activity in Little Rock and throughout Arkansas. On October 11, the day before an Arkansas Council on Human Relations luncheon meeting in Little Rock, a cross was burned in the yard of the Bates' home in Little Rock. Then, on October 27, during the State Conference's Annual Meeting, a larger cross was set ablaze in the same place.⁹¹ Mrs. Bates later reported that segregationist activity had picked up significantly following the Branch's decision to file suit against the School Board. Apparently the decision to appeal Judge Miller's decision again raised the ire of local segregationists.⁹²

Also that fall, local Citizens' Councils chapters came together and organized a statewide Citizens' Council. Indicative of the increasing strength and cohesiveness of the state's segregationists, the organization vied for political influence within Arkansas. Even in late 1956, however, its support was limited.⁹³ Historian Numan Bartley explained, "Among the few functioning chapters, the Capital Citizens' Council in Little Rock was the most active (and was to become of exceptional significance), though it too had limited membership."⁹⁴ Still, as the NAACP continued its efforts to promote desegregation, the strength of the opposition continued to grow. Segregationists would become a true force in Little Rock in 1957.

Even in 1956, however, Arkansas segregationists could take pride in the fact that their Governor increasingly supported their position with regards to segregation. Seeking reelection for a second term, Governor Orval Faubus began issuing statements supporting resistance to desegregation in the

⁹¹Ibid., Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 6.

⁹²Record and Record, 160.

⁹³Bartley, The Rise of Massive Resistance, 100.

⁹⁴Ibid., 101.

summer of 1956. He endorsed measures put forth by the state's segregationists to maintain segregated schools, and he took pride in the fact that "Since I have been your governor, no school board has been forced to desegregate its schools against its will."⁹⁵ Furthermore, Faubus increasingly spoke of aligning Arkansas "solidly with the Solid South."⁹⁶

In November, in a move which demonstrated the growing strength of the state's segregationists, Arkansan segregationists were able to place three measures on a statewide referendum ballot. Each of the measures won popular approval.⁹⁷ The first, a pupil assignment law, enabled school districts throughout the state to maintain segregated schools by allowing them to select which students would attend which schools within their districts. The State Education Commissioner of Arkansas supported the law; he explained that it "would help districts which want to keep their segregated schools."⁹⁸ The second measure was an amendment to nullify the *Brown* decisions. It formally placed Arkansas in opposition to the Supreme Court decisions and aligned it with many of the fiercely-resisting Deep South states. Finally, voters approved a resolution to place Arkansas on the record against desegregation in general. The passage of the three measures reflected the growing sentiment in Arkansas that if a way to avoid desegregation were possible, it should be found and implemented.

Conclusions

When 1956 came to a close, the situation in Little Rock was as tense as ever. The School Board's desegregation plan, though approved by a federal court, was being appealed by the NAACP. Segregationist power and pressure

⁹⁵Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 4.

⁹⁶Ibid.

⁹⁷Southern School News, December 1956, 8.

⁹⁸Record and Record, 27. The State Education Commissioner was Arch W. Ford.

was on the rise, and the School Board had begun to feel this pressure as well. The NAACP was increasingly isolated within the white community because of its desegregation activities, and race relations in Little Rock had deteriorated significantly. Many blacks had retreated altogether from the desegregation debate, as did moderate whites. Left in the spotlight were the segregationists, the School Board, and the NAACP; the battle lines were drawn. In 1957, the battle of Little Rock began.

Chapter 4: Showdown in Little Rock, 1957

Nineteen fifty-seven witnessed the culmination of the controversy over desegregation in Little Rock. The city remained relatively calm during the spring, as the NAACP and School Board reargued the *Aaron* case and busied themselves with the logistics of desegregating the city's schools. At the same time, however, segregationists began to garner the support they had been desperately seeking. The atmosphere of relative calm that had characterized Little Rock for the previous three years gave way as spring became summer. In late August events came to a head, and the Governor chose to stand in favor of segregation. By ordering the Arkansas National Guard to prevent the desegregation of Central High, Faubus placed himself in direct violation of the federal government. On September 25, President Eisenhower responded, forcefully, accomplishing what the NAACP had been trying to achieve since 1954.

Appealing *Aaron*

Following its decision to contest Judge Miller's ruling in *Aaron*, the Little Rock Branch worked with the NAACP's Legal Defense and Educational Fund, Inc. (the Fund) on its appeal. Branton stayed on as the Branch's chief legal representative, aided by the Fund's director, Thurgood Marshall. Even with the involvement and support of the National Office, however, the Branch was unable to convince the Court of Appeals to rule in its favor. In July 1957, after its defeat at the appellate level, the NAACP chose not to appeal *Aaron* to the Supreme Court.

Having the National Office, via the Legal Defense Fund, directly involved in the Branch's legal efforts signaled a shift from the earlier stages of *Aaron*. The Branch had sought and been promised support from the Fund

after Judge Miller's ruling, in the fall of 1956. Several important considerations explained the National Office's decision to become involved.

The National Office became involved in the *Aaron* appeal, in part, because the Branch requested its help through the Arkansas State Conference. Upset with Regional Attorney Tate's handling of the original case, the Branch appealed to the National Office because it believed that its case, though winnable, had been mishandled. The Branch hoped that the National Office's attorneys would provide help, not take control of the case as Tate had done; Branch members desired to modify Blossom's desegregation plan rather than test its legality.

The primary reason the National Office became involved in the appeal lay in the NAACP's legal procedures. NAACP protocol mandated that National Office attorneys become involved in suits filed in the federal appeals courts. This guaranteed that the National Office retained oversight of the Association's legal processes even though its attorneys often chose to forego involvement in local litigation. Moreover, the importance of appeals court rulings, via their immediate consequences and the legal precedents they established, automatically commanded the attention of the National Office. This system, combined with the Branch's request for legal support, brought Thurgood Marshall and the Fund into the *Aaron* litigation.¹

¹Finch, 59; St. James, *A Case Study in Pressure Groups*, 119. Historian Tony Freyer has argued that the National Office joined the Branch in appealing *Aaron* because of the importance of the case (Freyer, 92). It was unlikely that this was the only reason. First of all, Freyer failed to point out why *Aaron* was such an important case for the NAACP. An examination of the cases which the Fund prepared and argued in late 1956 and early 1957 reveals that the Little Rock case was in no way exceptional (See *Papers of the NAACP*, Supplement to Part 1 (1956-60), reel 1, N.A.A.C.P. Legal Defense and Educational Fund, Inc., Monthly Report, January 1957, 1-4; *Ibid.*, Supplement to Part 1 (1956-60), reel 1, N.A.A.C.P. Legal Defense and Educational Fund, Inc., Monthly Report, March/April 1957). Moreover, if the National Office had placed particular importance on the *Aaron* case, it almost assuredly would have involved itself in the earlier stages of the litigation.

NAACP attorneys filed the appeals brief with the U.S. Appeals Court, Eighth Circuit, on January 22. The brief asked that the court overturn Judge Miller's ruling, and that the plaintiffs' requests in the original suit be granted. Charging that the Phase Program unduly prolonged the implementation of the *Brown* decisions, the NAACP demanded that the appeals court remedy the situation by forcing the Board immediately to desegregate the city's schools.² The brief further demanded that the Phase Program be modified to require immediate desegregation in Little Rock's junior high and elementary schools as well. It argued that the School Board's plan delayed desegregation in an attempt to minimize it, rather than for legitimate reasons.³

Oral arguments took place in St. Louis on March 11, and presiding Judge Woodrough Vogel handed down the court's decision on April 26. During oral arguments, attorneys for both sides reiterated the main points of their briefs.⁴ NAACP attorneys presented numerous examples of federal courts using injunctive powers to speed up integration, but they failed to convince the court to adopt their arguments. Instead, after a month of deliberating, the court ruled in favor of the School Board. Judge Vogel wrote, "There is here unqualified basis for the District Court's conclusions that the proposed plan constitutes a good-faith, prompt and reasonable start toward full compliance with the Supreme Court's mandate."⁵

Following the ruling, the NAACP debated whether to appeal Aaron to the Supreme Court. Some members of the Branch supported an appeal, but

²*Ibid.*, Supplement to Part 1 (1956-60), reel 1, N.A.A.C.P. Legal Defense and Educational Fund, Inc., Monthly Report, January 1957, 1; Race Relations Law Reporter, Volume 2 (June 1957), 593-95.

³Race Relations Law Reporter, June 1957, 593-95.

⁴Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, N.A.A.C.P. Legal Defense and Educational Fund, Inc., Monthly Report, March/April 1957; *Ibid.*, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 7.

⁵Race Relations Law Reporter, June 1957, 595.

others expressed wariness that acceptance of the Phase Program by the Supreme Court would establish an "unfortunate precedent."⁶ Also, several Branch members were satisfied that the Board's plan would be implemented that fall, and they saw no reason to alter this arrangement.⁷ Still, the decision ultimately fell to the National Office and its legal staff. In July, after several months of consideration, the National Office announced that it planned to drop the *Aaron* suit rather than appeal it to the Supreme Court.⁸

Arkansan Segregationists

In early 1957, Arkansan segregationists increased their strength and influence in the state. Before then, segregationists exhibited only limited effectiveness in Arkansas.⁹ In February, with the support of Governor Faubus, segregationists introduced four bills into the State Legislature. The bills, aimed at halting desegregation and disrupting the activities of integrationist organizations by requiring them to open their records to the public and register as organizations seeking integration, passed by a wide margin in late February. Endorsing the segregationist position, the bills increased the acceptance of resistance to desegregation throughout the state.

Hearings on the segregation bills were held on February 17 in Little Rock. Approximately 900 people attended, the majority of whom opposed passage of the bills. Senator Max Howell, of Little Rock, attempted to thwart passage of the bills, but his efforts failed. Following this, each of the bills

⁶These members were afraid of having the Court legitimize a gradual desegregation plan. Freyer, 96.

⁷Bates, 52; Record and Record, 28; Southern School News, May 1957, 2.

⁸Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 8.

⁹Record and Record, 286.

passed both houses of the Legislature by substantial majorities and were signed into law by Governor Faubus.¹⁰

The first bill established a Sovereignty Commission. The purpose of the Commission would be to assist the state of Arkansas in resisting "encroachment by [the] federal government", which meant providing legal advice and assistance to local school districts resisting desegregation. The bill empowered the Commission "to examine books, records, investigate, hold hearings and to subpoena persons and things."¹¹ The second bill allowed students forced to attend racially mixed schools exemption from Arkansas' compulsory attendance laws. The third required that organizations working for desegregation register with the Sovereignty Commission; though not specifically mentioned, this bill targeted the NAACP. The fourth bill authorized local School Boards to hire attorneys to represent them in desegregation suits filed against them or their members. Taken together, the bills represented a significant threat to the Arkansas NAACP and its efforts to desegregate the state's schools.¹²

The Little Rock Branch reacted to the bills with trepidation. The organization regarded the bills as almost certainly unconstitutional. Still, a legal battle contesting their constitutionality would inevitably be drawn-out and expensive, and the Branch faced increased harassment in the meantime. Passage of the bills represented at least a major nuisance.

The Arkansas State Conference informed the National Office of the new segregation laws shortly after their passage. In March, the NAACP Board of

¹⁰Freyer, 89; Bates, 54; David Halberstam, The Fifties (NY: Random House, 1993), 671; Record and Record, 28.

¹¹Papers of the NAACP, Part 3 Series D, reel 13, "A Statistical Summary", November 1961.

¹²Ibid., Part 3 Series D, reel 13, "A Statistical Summary", November 1961; Record and Record, 28.

Directors considered the impact of the legislation, particularly the law "aimed at making the operations of the NAACP in that state difficult, if not impossible."¹³ The Board ordered the NAACP's General Counsel, Robert Carter, to look into the situation and determine how the NAACP should react. Later that month, the Arkansas State Conference held a meeting to discuss the impact of the new legislation. Unable to agree upon an effective defense, the participants returned to their communities and prepared for the coming assault. State president Bates vowed to contest the constitutionality of the new legislation.¹⁴

Developments in Little Rock, Spring 1957

Segregationists in Little Rock rallied in early 1957. In March, a pair of segregationist candidates ran for the School Board. The election took place on March 16. Held to replace two Board members whose terms had expired, the election quickly became a referendum on the Phase Program and the city's stance on school desegregation. One of the segregationist candidates was the president of the Capital Citizens Council, Robert Ewing Brown. Two moderate candidates, supported by the NAACP, opposed the segregationists. In an election which split the city along racial and class lines, the moderates carried the day.¹⁵

The School Board election suggested the mood of the city that spring. The moderate candidates had endorsed the Phase Program, whereas the segregationists denounced any vestiges of desegregation. Thus, the triumph of the moderates indicated that the city's residents favored compliance with the

¹³Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board, March 11, 1957", 2.

¹⁴Ibid., Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board, April 8, 1957", 3; Freyer, 96.

¹⁵The moderates were supported by Little Rock's blacks and upper-class whites. Huckaby, 5; Freyer, 92.

law rather than outright defiance. Elizabeth Huckaby, Vice-Principal of Central High School, explained, "Their election seemed an endorsement of the law and order stand of the superintendent and the board, and of their plan of gradual (and token) integration."¹⁶ Still, it was clear that the vast majority of Little Rock's residents still favored segregation. They favored compliance with the law, but only as a last resort. That this was the case would soon become quite clear.

After losing its appeal in *Aaron v. Cooper*, the Little Rock NAACP shifted its efforts toward projects related indirectly to school desegregation. The most important of these projects concerned housing in the city. Since the spring of 1956 the Branch had been monitoring the city's urban renewal project to insure that it was nondiscriminatory.

One reason the Branch undertook housing work was to insure that the city's renewal plan would not undermine the Branch's efforts to desegregate schools. The NAACP's National Office had long recognized the relationship between residential segregation and school segregation, and it encouraged its Branches to consider urban renewal projects as a potential threat to integration. By the spring of 1957, Little Rock's redevelopment plans substantiated the National Office's fears. The plans promised significantly to interfere with the desegregation of the city's schools. Accordingly, the Branch filed petitions with the Federal Housing Authority and the Urban Renewal Administration to stop the project.¹⁷

The Branch also worked on school desegregation that spring. In May, responding to reports that Superintendent Blossom had begun using a discriminatory selection process to choose which blacks would desegregate the

¹⁶Huckaby, 5.

¹⁷Papers of the NAACP, Supplement to Part 1 (1956-60), reel 1, "Report of the Executive Secretary to the Board, April 8, 1957", 2.

city's schools, the Branch demanded a meeting with the Board.¹⁸ Blossom had persuaded the black principals of two Little Rock schools to limit the number of black children eligible to attend the city's previously-white schools for him. First, Blossom instructed the principals to determine the number of black children in Little Rock interested in attending the white schools. Next he ordered the principals to screen those interested according to a set of criteria which included I.Q., personality, citizenship record, and school grades. The principals met individually with each potential student to determine if he or she would be a desirable candidate.¹⁹

After learning of Blossom's actions, the Branch organized its meeting with Blossom and the School Board. Blossom chose May 29 to meet. The Branch appointed a committee of Executive Committee members with diverse views on desegregation to meet with the Board, and it drew up a list of questions for the Superintendent. The Branch hoped to learn of Blossom's plans for the selection process, and to convince Blossom to adopt a nondiscriminatory selection process if possible.²⁰

State president Bates and Field Secretary Smith accompanied the committee to meet with Blossom and the Board. Blossom, as expected, quickly took charge of the meeting and provided his rationale for the selection process. He explained: "I feel that for this transition from segregation to integration in the Little Rock school system, we should select and encourage only the best Negro students to attend Central High School--so that no criticism of the integration process could be attributed to inefficiency, poor scholarship, low morale, or poor citizenship...."²¹ Even before asking its

¹⁸Ibid., Part 3 Series D, reel 1, "Report of Conference with the Board", 1-4.

¹⁹Ibid.

²⁰Ibid.

²¹Ibid., 2.

questions, the committee realized that Blossom was determined to screen potential candidates for desegregation and minimize the number of black students who would be enrolled in the previously all-white schools.

Those in attendance felt that Blossom's plans violated the ruling of the appeals court. In a report of the meeting to the National Office, Field Secretary Smith asked the National Office to consider the legal ramifications of the screening process. "The plan [Phase Program] did not call for screening. This screening seems to carry persuasion and possibly pressure and intimidation," he wrote.²² The Branch hoped the National Office might be able to force Blossom to abandon the procedure.

By late spring, it seemed as if desegregation, albeit token desegregation, was on track in Little Rock. A segregationist bid to gain influence on the School Board had been defeated in March, and the NAACP's appeal of the original *Aaron* decision failed in late April. As Blossom began screening black candidates for the city's white schools, he expressed confidence that his plan would bring about smooth and effective desegregation. Four new segregation laws, passed in the Arkansas State Legislature in February seemingly insured that proponents of significant integration could be effectively checked. Ironically, though the laws effectively ended the threat of increased desegregationist activity, they also opened up the Board to attacks from the other side.

The Segregationists, Faubus, and the School Board. Summer 1957

Segregationist pressure increased significantly in the summer of 1957. Superintendent Blossom and Governor Faubus became favorite targets for abuse, replacing the NAACP as the segregationist's scapegoats. By late August segregationists managed to discredit the Board and the Governor, and no one

²²Ibid., 3.

in the Little Rock community knew what to expect when the city's schools opened that fall.

Many southern segregationists viewed Arkansas as a key state in the battle to resist desegregation. A border state more southwestern than southern, Arkansas' handling of *Brown* promised to influence the reactions of a number of other southern states. If Arkansas complied, the solid south would be fragmented, and other border states might follow Arkansas' lead. As southern resistance to integration increased in early 1956, the potential for integration in Arkansas became viewed as a major threat by southern segregationist leaders. By 1957, when most other border states had joined the South in opposition to compliance with the *Brown* decisions, Arkansas remained somewhat ambivalent.²³ Deep South states, anxious to avoid isolation from the border states, increasingly pressed Arkansas' political leaders to resist desegregation. James Eastland, the notoriously racist Senator from Mississippi, explained, "The Deep South is all right, but there is now being waged a tremendous conflict in the border states, which will determine what will happen to the Deep South."²⁴

Accordingly, Arkansas became viewed as a battleground. The NAACP, which had recognized the state's significance as early as 1954, strove to insure that the state's schools were desegregated as quickly as possible. The National Office kept in close contact with the Arkansas State Conference, and it sent field workers and then Field Secretary Frank Smith to help the state's desegregation efforts. Segregationists fought against the NAACP and anyone else who viewed desegregation as either favorable or inevitable. In 1957, as Arkansan segregationists grew in strength and influence, segregationists

²³Bartley, *The Rise of Massive Resistance*, 143.

²⁴Blossom, 30; Record and Record, 250-54.

from outside the state joined them to combat the possibility of desegregation. By the summer of 1957, residents of Little Rock noted a growing presence of out-of-state segregationists in their midst. Virgil Blossom described the scenario, "I had heard the attitude of segregation leaders from other cities expressed again and again, in words like these: 'If the Little Rock integration plan succeeds, we will be next. And they were determined not to 'be next.'"²⁵

Segregationist activity in Little Rock began to pick up in the spring, when segregationists initiated a propaganda campaign challenging the idea that the city had to comply with the Supreme Court's rulings. The CCC and other segregationist-minded organizations, such as the Constitution Party, distributed leaflets urging opposition to desegregation, sponsored newspaper advertisements promoting resistance, and held rallies featuring out-of-town speakers who attacked desegregation and its supporters. In May segregationists demanded that Governor Faubus "order" segregation in Little Rock's schools in the fall.²⁶

Throughout the spring, however, and into the summer, Governor Faubus ignored the segregationist attacks. Most Arkansans believed Faubus had accepted desegregation, and his public pronouncements supported this conclusion. In June, Faubus stated that he viewed desegregation in Little Rock as a "'local problem.'"²⁷ In July, dismissing the notion that Arkansas' new segregation laws gave him the legal authority to circumvent the *Brown* decisions, Faubus explained that, "'Everyone knows that state laws can't supersede federal laws.'"²⁸

²⁵Blossom, 47-49.

²⁶Record and Record, 30-32; Bartley, "Looking Back at Little Rock", 107.

²⁷Southern School News, June 1957, 9. See Blossom, 46, for more on the increased pressure Faubus faced during the summer of 1957.

²⁸Southern School News, August 1957, 7.

Nonetheless, prospects for a third term concerned the Governor, and Faubus met secretly with segregationist leaders in Little Rock that summer. Unable to see a way out of his predicament, Faubus talked in general terms about stopping or delaying segregation at Central High, but he offered no indication that he considered this viable, much less worthwhile. The Governor regarded the issue of desegregation in political terms, but he was unwilling to make commitments or assurances to the segregationists.²⁹

Meanwhile, segregationists stepped up their attacks on the School Board. In July, they publicly challenged the specifics of the Phase Program. In a letter published in the local newspapers, White America president Amis Guthridge demanded to know how the Board intended to resolve the intricacies of an integrated school system, such as after-school program policies and desegregated restrooms.³⁰ Segregationists also began attending School Board meetings, where they bitterly attacked the Board and its plan.³¹ By late summer, Blossom feared for the safety of his family, and he sent his daughter to live with relatives outside the state.³²

Afraid to defy the federal courts but personally opposed to school desegregation, the Board was in a bind. Seeing no alternative, Blossom and the Board stuck by the Phase Program. In July, the Board published its reply to Guthridge's letter, explaining exactly how it planned to resolve the many logistical problems associated with desegregation. The response stated that the Board hoped to minimize interaction between the races as much as possible. Biracial social functions would not be permitted, but limited space meant that students would use integrated restrooms and locker rooms.³³ The Board

²⁹Freyer, 97.

³⁰Ibid., 92-94.

³¹Blossom, 39.

³²Freyer, 95; Huckaby, 20.

³³Record and Record, 32.

further encouraged segregationists who believed that the Board could legally forego desegregating its schools to file suit against the Board. Though the Board admitted that it opposed desegregation in principle, it argued that it had "a duty to obey [the Supreme Court]."³⁴

Increasingly wary of the increased segregationist fervor, the Board began a desperate search for public support that summer.³⁵ Abandoning sole responsibility for its desegregation plan, the Board doggedly sought pronouncements of approval from the Governor and Judge Miller. Blossom believed that a statement of support from either of these sources would greatly alleviate pressure on the Board. He also sought to relinquish responsibility of maintaining order on the school grounds when desegregation occurred. Historian Numan Bartley described Blossom's efforts: "Beginning in early August, 1957, Blossom, accompanied twice by School Board Secretary Wayne Upton and three times by the entire school board, tirelessly pressed the governor for a commitment [forcibly to keep the peace]."³⁶ Unfortunately for the Board, no one was willing to speak out for the Phase Program or even for compliance with the law.

The increase in segregationist activity in the summer heightened fears in Little Rock that desegregation might not occur peacefully. As the community became increasingly polarized, decision-making became more difficult, and preparations for desegregation suffered. Only the NAACP and the Board remained publicly committed to desegregation, and the segregationists grew stronger each day. Though the community assumed desegregation would be carried out, it simply could not be sure. A white minister from Little Rock later explained that, "Throughout the summer

³⁴Blossom, 43.

³⁵Bartley, "Looking Back at Little Rock", 105-109.

³⁶Ibid, 110.

months persons of both races, deeply concerned for the problems of human relations, became increasingly disturbed as they realized that the social forces of Little Rock were not being marshaled to aid in a smooth transition to integration. No one knew what might happen."³⁷

The Little Rock NAACP. Summer 1957

Following its meeting with the School Board in late May, the Branch focused on preparing the students Blossom had chosen to be candidates for desegregation. Branch members also pressed the Board to maintain open lines of communication with the black community. In addition, as they became increasingly disillusioned with the Board's selection process and the restrictions placed upon black students who were candidates for desegregation, the Branch asked the National Office to examine the Board's actions. Branch members also worked to prepare the larger black community for desegregation.

State president Bates coached and readied the nine blacks chosen by the School Board for desegregation that summer. She prepared the children both psychologically and academically. Bates taught the children how to ignore insults and physical abuse, and she tutored them to bring their academic levels up to par. Confident of their ability to withstand the trials and tribulations of desegregation, Bates nonetheless knew that some academic preparation and team-building would make the task easier. The Branch assisted her in preparing the children. Little Rock blacks understood that, "The teenagers needed to be ready for some of the problems they'd face at Central once school started."³⁸

³⁷Record and Record, 239.

³⁸Richard Kelso, Days of Courage: The Little Rock Story (Austin, TX: Raintree Steck-Vaughn Publishers, 1993), 12; Bates, 3.

The NAACP also prepared the larger black community for desegregation. Uneasy about the Board's selection process, local blacks seemed more supportive of the Branch as the summer wore on. In mid-summer, the NAACP began planning a community meeting scheduled to take place in August. The Branch also encouraged local blacks to press the Board to abandon, or at least mitigate, its discriminatory selection process.³⁹ By summer it was apparent that the black community had rallied behind Daisy Bates and the Little Rock NAACP.⁴⁰

The Branch carefully monitored the Board's selection process as well. Noting that two hundred black students lived in Central High's attendance zone, the Branch expressed disappointment upon learning that Blossom listed only twenty as eligible to attend the school.⁴¹ When Blossom cut the number to nine, the Branch expressed more disappointment. In late July the Executive Committee asked the National Legal Redress Committee to examine the Board's actions and determine if they violated court orders. Bates asked National Office attorney Robert Carter to "determine if this is not contrary to the ruling and decision of the Federal and Circuit Court of Appeals."⁴²

The Branch was also upset with Blossom's proposals concerning the eligibility of the blacks students to participate in extracurricular activities. At a meeting in July, Blossom informed the Branch that the students would be unable to play sports, run for student government offices, join social or service clubs, play in the school band, or attend school dances.⁴³ Because most

³⁹Record and Record, 239.

⁴⁰Spitzberg, 127-130, 173.

⁴¹Papers of the NAACP, Part 3 Series D, reel 1, Letter from Daisy Bates to Robert Carter, August 2, 1957. Blossom listed twenty as eligible in the spring of 1957; the number was cut to nine that summer.

⁴²Ibid.

⁴³Laurie A. O'Neill, Little Rock: The Desegregation of Central High (Brookfield, CT: The Millbrook Press, 1994), 22-23.

of the eligible blacks had been involved in extracurricular activities at their previous schools, this pronouncement greatly disappointed them. Blossom said the restrictions were necessary because the blacks would be new students, but the NAACP knew otherwise. The Branch reported this development as well to the National Office in the hopes that something could be done.⁴⁴

Little Rock, August 1957

August witnessed the culmination of tensions that had brewed all summer in Little Rock. As the School Board and the NAACP feverishly prepared for desegregation, the segregationists worked just as feverishly to halt the process. Governor Faubus remained silent, and residents of the city expressed uncertainty over the outcome of the battle over desegregation.

Segregationists from throughout the South had converged in Little Rock over the course of the summer. Pressure on the Governor and the Board reached new heights, and the segregationists worked frantically to gather support in the white community. In late summer their efforts paid off.

On August 20, segregationists launched a new organization in Little Rock. Composed of mothers with children in the city's public schools, the Mother's League of Central High drew increased support for segregation from the more respectable members of the community. Committed to nonviolent methods, the League convinced a number of previously apathetic whites to become active in the movement to halt desegregation. Founded by one hundred women, the organization quickly grew in strength and influence.⁴⁵ It called upon Governor Faubus to stop the "forcible integration" of the city's schools.⁴⁶

⁴⁴Papers of the NAACP, Part 3 Series D, reel 1, Letter from Daisy Bates to Robert Carter, August 2, 1957.

⁴⁵Blossom, 47.

⁴⁶Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 9

Two days later, segregationists held a rally in Little Rock. Featuring Georgia Governor Marvin Griffin and states rights champion Roy Harris, the rally attracted a large and enthusiastic crowd. Griffin told the crowd that Georgia had developed a legal means of avoiding compliance with the Supreme Court decisions, and he hinted that Arkansas could do the same. Challenging Governor Faubus to support the segregationists and take a stand opposing desegregation, Griffin praised those in attendance as "'a courageous bunch of patriots.'"⁴⁷ The rally rejuvenated those in attendance and convinced them that Governor Faubus could legally refuse to desegregate the city's schools. It was a major success for the segregationists.

Immediately following the rally, Blossom found it more difficult to meet and confer with Governor Faubus. Upset by the publicity generated by the event, Faubus retreated from public scrutiny. He lamented that Griffin's speech had tipped public sentiment in favor of the segregationists. At one point the Governor complained that Griffin's speech had done more than "anything else that has happened to solidify public sentiment against school integration."⁴⁸ Sure that Griffin had convinced the Little Rock community that a legal means of avoiding desegregation existed, Faubus thought that he needed to react. In late August, he considered his options. With only three weeks left before desegregation, the Governor faced difficult decisions.

In the meantime, Arkansas' Attorney General Bruce Bennett initiated litigation against the Little Rock NAACP based on the state's new segregation laws. Hoping to shut down the Association's operations in the state of Arkansas, *State v. NAACP* and *State v. NAACP Legal Defense and Education Fund* attacked the NAACP for failing to register with the state as a desegregation-

⁴⁷Record and Record, 32-33; Bartley, "Looking Back at Little Rock", 108; Blossom, 55.

⁴⁸Blossom, 56; Freyer, 100.

oriented organization, and demanded that the NAACP pay fines and open its records to state inspectors.⁴⁹ The litigation diverted the Branch's attention from preparing for desegregation to defending its own right to exist.⁵⁰

The Little Rock NAACP, Summer 1957

Prior to this litigation, the Branch worked to insure that desegregation would occur peacefully. Concerned about the possibility of violence, the Branch met with Blossom, Little Rock Police Chief Marvin Potts, and Pulaski Sheriff Tom Gulley on August 25. Though it did not expect violence, the Branch wanted to be prepared for that eventuality; it sought a commitment from city officials to help desegregate the schools. Unfortunately, the police chief promised only to maintain the peace; the police would not escort the children into the school. Instead, Potts hinted that desegregating Central High was the responsibility of the School Board.⁵¹

Also on August 25, the NAACP held its mass meeting in Little Rock. Organized to finalize preparations for desegregation and to discuss the black community's behavior, the meeting drew five hundred people to a local community center. Ministers, teachers, lawyers, and doctors spoke on good citizenship and the responsibilities of the candidates for desegregation and the community at large.⁵² NAACP Field Secretary Smith emphasized the importance of observing Christian principles. Other speakers encouraged the students to turn the other cheek when confronted by racist actions or remarks. Proper conduct, the speakers emphasized, would alleviate the difficulties involved in the desegregation process.⁵³

⁴⁹Papers of the NAACP, Part 3 Series D, reel 13, "A Statistical Summary", November, 1961.

⁵⁰Freyer, 128.

⁵¹Bartley, "Looking Back at Little Rock", 105-06; Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 8.

⁵²Blossom, 57.

⁵³Record and Record, 33.

In an attempt to defend its right to exist, in late August the Branch sponsored litigation testing the constitutionality the new state segregation laws. Filed by ten black ministers from Little Rock, the suit declared that the statute requiring organizations working for desegregation to register with the state, and the statute establishing the Sovereignty Commission, were unconstitutional. Unfortunately, *Smith v. Faubus* quickly became mired in the state's judicial system, where it remained for over a year, moving from the state courts to federal courts and back. Attorneys for the state, knowing the case was unwinnable, still labored effectively to delay its resolution. Eventually the NAACP filed additional suits to challenge the same laws, but the state's attorneys ensured that these suits met the same fate.⁵⁴

Even as the events of late August unfolded, however, the citizens of Little Rock expected desegregation to occur. Some worried that problems might occur, particularly because of the large number of out-of-state segregationists in Little Rock, but most dismissed these fears. Unaware of the lack of preparation on the part of the city government and the police department, most simply assumed that all would go well. The city underestimated the difficulties that lay ahead. Historian Numan Bartley explained the situation in late August, 1957: "Little Rock remained basically a moderate community, and most citizens assumed that preparations for token integration were proceeding on schedule."⁵⁵ No one predicted what was about to occur.

⁵⁴Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 8; Ibid., Part 3 Series D, reel 13, "A Statistical Summary", November 1961; Freyer, 128.

⁵⁵Bartley, "Looking Back at Little Rock", 109.

The Crisis Breaks

On August 27, the crisis broke. Governor Faubus, via a representative of the Mother's League, requested an injunction in Pulaski Chancery Court to halt the desegregation of Central High. After the judge granted the injunction, the Federal District Court which originally heard *Aaron* nullified the injunction and ordered that integration proceed. Undeterred, Governor Faubus called out the Arkansas National Guard on September 2 and ordered them to prevent any blacks from entering Central High. Arkansas' showdown with the federal government had begun.

Faubus had sought a way to legally prevent the integration of Little Rock's schools following the large segregationist rally of August 22. After the rally, Faubus convinced Mrs. Clyde Thomason of the Mother's League to seek a temporary injunction halting desegregation from the Pulaski Chancery Court. At the trial, Faubus testified that he supported the injunction because of fears that violence might erupt if desegregation proceeded in Little Rock.⁵⁶ The School Board, assisted by Branch attorney Branton, challenged Faubus' predictions of violence.⁵⁷ Based largely on the testimony of the Governor, on August 29 Judge Murray O. Reed granted the injunction.⁵⁸

On August 30 Judge Ronald Davies of the Federal District Court nullified Reed's injunction. Davies, from North Dakota, had replaced Judge Miller in August because of a backlog of cases. Davies ordered the School Board to

⁵⁶Freyer, 101.

⁵⁷Papers of the NAACP, Part 3 Series D, reel 1, Memorandum from Miss Geier to Gloster B. Current, August 29, 1957. Branton convinced the National Office to allow him to help the Board by pointing out that the School Board sought the same goal as the NAACP at this point. For its part, the Board did not believe that Faubus could legally circumvent desegregation.

⁵⁸*Ibid.*, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 9; Crisis in the South: The Little Rock Story (Little Rock: Arkansas Gazette, 1959), 94.

proceed with its integration plan. He also enjoined "all persons in any matter, directly or indirectly" from interfering.⁵⁹

Faubus ordered the National Guard to Central High on September 2. In a television address to the citizens of Arkansas, Faubus justified his actions; he explained that he ordered out the Guard because of "overwhelming evidence of impending disorder which could lead to violence and even bloodshed."⁶⁰ Faubus explained that the National Guard was needed to preserve the peace. Ordered to refuse admittance to any black students, the Guard encircled the two-block long building and waited further instructions. That night, the School Board advised the Branch that no attempt to integrate the school would occur until the Federal District Court considered these new developments.⁶¹

On September 3 the Board went to Judge Davies for advice. Specifically, the Board sought instructions as to whether it should attempt to integrate the school while Guard surrounded it. In a proceeding which lasted four minutes, Davies accepted Faubus' self-appointment as "preservator of the peace" and ordered the Board to proceed forthwith with desegregation.⁶² That afternoon Governor Faubus announced that the Guard would remain at Central. Following the court's orders, the Board contacted the Branch and prepared to desegregate the next day.

On the morning of September 4 the nine blacks, assisted by the Branch and members of the community, attempted to enter Central High. Turned back by the National Guard, the blacks returned home and contacted the School

⁵⁹Crisis in the South: The Little Rock Story, 94. See Papers of the NAACP, Part 3 Series D, reel 1, The Congressional Record, March 24, 1958, 2, for more on Davies' replacement of Miller.

⁶⁰Crisis in the South: The Little Rock Story, 94.

⁶¹Ibid., 94-95; Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 9.

⁶²Papers of the NAACP, Part 3 Series D, reel 1, The Congressional Record, March 24, 1958, 2; Crisis in the South: The Little Rock Story, 94-95.

Board. Judge Davies, informed of the day's developments, ordered the Justice Department to begin an investigation to determine who had circumvented his orders.⁶³

The National Office

The Branch contacted the National Office immediately after Mrs. Thomason filed suit in the Chancery Court on August 27. Seeking permission for Branton to assist the School Board in defending its desegregation plan, the Branch informed the National Office of the developments of the past two weeks and the atmosphere in the city at the time. After receiving approval from the National Office, the Branch began working with the Board on legal strategy and desegregation planning. Developments had brought the antagonists together to push for their common goal.⁶⁴

As the crisis continued and the national press moved into Little Rock, the Branch asked the National Office to send help. In early September, Clarence Laws, NAACP Field Secretary for Louisiana, arrived in Little Rock to help prepare press releases and organize the logistics of desegregation. The Branch quickly praised Laws as a capable and invaluable worker.⁶⁵ In the following weeks, Laws and State president Bates frequently contacted the National Office to describe developments in the city and ask for advice and instructions. For a period of several weeks, the Branch contacted the National Office by telephone almost daily. The National Office monitored and directed the Branch's actions over the course of the next several months.⁶⁶

⁶³Papers of the NAACP, Part 3 Series D, reel 1, "Little Rock: The Chronology of a Contrived Crisis", 9; Crisis in the South: The Little Rock Story, 95.

⁶⁴Papers of the NAACP, Part 3 Series D, reel 1, Letter from Daisy Bates to Robert Carter, August 31, 1957.

⁶⁵Ibid., Part 3 Series D, reel 1, Letter from Daisy Bates to Gloster B. Current, September 9, 1957.

⁶⁶See Papers of the NAACP, Part 3 Series D, reel 1, for transcripts of most of the telephone conversations between the Little Rock NAACP and the National Office.

The Crisis Resolved

On September 5, the Board asked Judge Davies to suspend its integration plan temporarily. On September 7, Davies rejected the Board's request and ordered integration to begin the following week; in the meantime Davies convinced the federal Justice Department to seek an injunction against Faubus' interference with the court's orders. Davies scheduled the hearing on this injunction for September 20.

Also in early September, President Dwight Eisenhower began to press Governor Faubus to cooperate with the federal courts. In a telegram to Faubus sent September 5, Eisenhower assured Faubus that he would uphold the Constitution "'by every legal means at my command.'"⁶⁷ Still, Eisenhower hoped to allow Faubus to extricate himself from the situation he had placed himself in, and he responded favorably to White House Staff Sherman Adams' negotiations with Arkansan congressional representative Brook Hays to secure a meeting between Eisenhower and Faubus.⁶⁸

On September 14, Faubus met with President Eisenhower, who was vacationing on Newport Naval Base, Rhode Island. The two discussed the situation in Little Rock, and Eisenhower pressed Faubus for a commitment to abide by the court's orders. Apparently Faubus agreed with the President's suggestion that he simply change the orders of the National Guard to both maintain order and desegregate Little Rock's schools.⁶⁹ Following the conference, however, Faubus acknowledged that integration was "the law of

⁶⁷Stephen Ambrose, Eisenhower (New York: Simon and Schuster, 1983), 414; Sherman Adams, Firsthand Report (New York: Harper, 1961), 346; Robert Ferrell, ed., The Eisenhower Diaries (New York: Norton, 1981), 347-348.

⁶⁸Ambrose, 416.

⁶⁹*Ibid.*; Ferrell 347-348.

the land" but refused to change the Guard's orders.⁷⁰ Several days later the Justice Department announced that it would abandon its efforts to get an injunction against Faubus if the Governor would follow the President's suggestion. Still, Faubus refused.⁷¹

On September 20 Davies held the hearing on Faubus' actions. Faubus himself chose not to appear in court, but his lawyers attacked the authority of the court before leaving the hearing.⁷² Unconvinced of the threat of violence in early September, Judge Davies ordered Faubus to remove the National Guard from Central High and to cease subverting the orders of the federal court. Later that day Faubus removed the troops, and then left for a governor's conference in Georgia. Though segregationists from throughout the South had congregated in Little Rock, Faubus made no plans to preserve the peace before leaving.⁷³

The following Monday the nine children entered Central High, but disturbances inside and outside of the school led to their withdrawal before noon. Federal government officials on the scene, informed of this development, called the President and asked permission to use federal troops to maintain order. Eisenhower asked them to help city officials to prepare a formal request seeking federal intervention. Local officials transmitted this request to Washington on September 24, and Eisenhower federalized the Arkansas National Guard and ordered the Secretary of Defense to deal with segregationist resistance using whatever means necessary.⁷⁴

⁷⁰Papers of the NAACP, Part 3 Series D, reel 1, The Congressional Record, March 24, 1958, 2.

⁷¹Freyer, 106.

⁷²Adams mistakenly writes that Faubus appeared in court. See Adams, 353.

⁷³Freyer, 107; Crisis in the South: The Little Rock Story, 95.

⁷⁴Freyer, 108; Ambrose, 419-421.

That afternoon Eisenhower returned to Washington, D.C., to address the nation. His address focused on the reason he had sent troops to Little Rock. The President's main theme was that the troops had been sent to Little Rock not to integrate Central High, but to prevent the obstruction of federal court orders. Eisenhower emphasized that had he not sent the troops, the result would have been anarchy. "The very basis of our individual rights and freedoms rests upon the certainty that the President and the executive branch of government will support and insure the carrying out of the decisions of the federal courts, even, when necessary, with all the means at the President's command," he explained.⁷⁵

On September 25, units of the 101st Airborne of the United States Army escorted the nine children into the crowded hallways of Central High. Over the course of the next several months, the children would face significant harassment, including verbal and physical abuse. Still, they had accomplished what the NAACP had been seeking since May 17, 1954—the desegregation of Little Rock's public schools. The long battle of Little Rock was over.

⁷⁵Adams, 355.

Conclusion

The goals, strategies, and tactics of the NAACP in the mid-1950s have attracted the attention of few scholars. Many studies have examined the NAACP's legal strategies of the 1930s and 1940s, but the post-*Brown* NAACP has not received the attention it merits. This is surprising, considering the importance of school desegregation to the Association and the nation.

The relationship between the National Office of the NAACP and its Branches as the Association worked to implement the *Brown* decisions of 1954 and 1955 played a key role in determining the course of events in Little Rock. The hierarchical chain of command within the NAACP, the actions of the National Office, local considerations and goals, and changes in each of the above after 1954, helped the NAACP to overcome significant resistance and bring about the implementation of *Brown* in Little Rock and throughout the South. Achieving desegregation proved an incredibly difficult task, and the NAACP accomplished it virtually on its own.

The National Office was determined to oversee the implementation of the *Brown* decisions from the beginning. Even before the Supreme Court handed down its original decision in May, 1954, the National Office had formulated guidelines which its Branches followed for the next year and a half. In 1956, when the National Office chose to alter its desegregation program to favor widespread litigation, it again ordered its Branches to follow its lead. The National Office maintained oversight of its Branches through NAACP conventions, field representatives, and National Office directives.

The Little Rock Branch followed the National Office's program diligently. Beginning in the summer of 1954, the Branch's actions corresponded neatly with the dictates of the National Office. In 1954, for example, the Branch filed the National Office's desegregation petition with the

Little Rock School Board and then met with the Board to discuss this petition and the district's desegregation plan. Both steps were in keeping with the National Office's instructions. Also, the Branch avoided legal action until it realized that the Board was side-stepping meaningful desegregation and refusing to include the Branch in the desegregation planning. Again these actions coincided with the evolving position of the national NAACP. At least with respect to Little Rock, the National Office's determination to oversee the implementation process was successful. Several other local studies support the NAACP's success in establishing policy for its local branches.¹

In spite of the National Office's determination to control policy, local considerations always played a role in determining community desegregation developments. They certainly did so in Little Rock. Personalities, prior community developments, organizations, and school district logistics influenced the course of events in Little Rock. Virgil's Blossom's unwillingness to work with the Branch, for instance, led the Branch to file a suit against the Board, just as the national NAACP focused its attention and efforts on desegregating states completely resisting integration. This development, determined by local considerations, placed the Branch in opposition to the directives of the National Office. Subsequently, a lack of national oversight of the *Aaron* suit meant that inadequate legal representation and poor communication between the Branch and Regional Attorney Tate went unnoticed, and the suit was lost. Considering the nationwide scope of the NAACP's desegregation effort, local considerations were bound to thwart National Office control occasionally.

¹William H. Chafe, Civilities and Civil Rights (New York: Oxford University Press, 1980); Davidson M. Douglas, Reading, Writing, and Race: The Desegregation of the Charlotte Schools (Chapel Hill: University of North Carolina Press, 1995).

Occasionally even the goals of the national NAACP conflicted with those of the local Branches. In *Aaron v. Cooper*, for example, the Branch expressed more interest in altering the Phase Program to effectuate immediate desegregation in the city's schools than in challenging the constitutionality of the Board's plan. Both of these sentiments were incorporated into the suit, but the goals of the National Office carried the day in the courtroom. The bureaucratic and hierarchical structure of the NAACP meant that the Branch had little say in the matter.

Examining local considerations and goals, and their impact, is essential to better understanding the civil rights movement. Many books about major civil rights organizations and famous individuals involved in the movement exist, but examinations of the local level have only become popular in the last several years.² Looking at the local level clarifies relations between desegregation proponents and opponents, local and national organizations, and communities and their state governments. It simply allows for a better understanding of the complexities and intricacies of the civil rights movements. Relating local developments to the position and pronouncements of the national NAACP provides a richer understanding of both the national and local level of the struggle for civil rights.

The National Office was interested in establishing a policy for making the promise of *Brown* a reality everywhere. The hierarchical structure of the NAACP and the commitment to that priority inevitably meant that the National Office prevailed in cases of conflicting interests. By the late 1950s, this would cost it in terms of support on the local level. However, in the mid-1950s the authority of the National Office, though questioned, was rarely challenged.

²Armstead L. Robinson and Patricia Sullivan, eds., New Directions in Civil Rights Studies (Charlottesville, VA: The University Press of Virginia, 1991), 2.

Little Rock continued to resist desegregation on and off for several years after the integration of Central High. In the spring of 1958, the School Board petitioned the the Federal District Court to grant a postponement of its desegregation plan due to intolerable conditions within the city's schools.³ The lower court granted this postponement, but the Appeals Court overruled that decision, and the Supreme Court sided with the Appeals Court.⁴ Subsequently, Governor Faubus, recently reelected for an unprecedented third term, shut down the city's public schools.

In 1959 the Federal District Court ruled the laws Faubus used to close the schools unconstitutional. Shortly thereafter the Little Rock community made its support for reopening the schools known by recalling several segregationist School Board members. Facing pressure from Little Rock's business community, and segments of the progressive community which existed in Little Rock in the early 1950s, the Governor allowed the modified School Board to reopen the schools on a somewhat-integrated basis. In September 1960, the schools reopened with a token number of blacks.⁵

Little Rock today is a growing, bustling city. Central High sits just south of downtown, in a quiet black neighborhood. It is an impressive school to behold, certainly one of the most beautiful public schools in the nation. It is also segregated once again. The growth of the suburbs outside of Little Rock has drained the city of many of its former white residents, and their children attend schools miles from this symbol of southern defiance and black determination. The whites in Little Rock have abandoned Central High.

President Eisenhower maintained that one could not bring about a

³Crisis in the South, 33. The 'intolerable conditions' referred to general tensions and events which made running the schools difficult (ex. regular bomb threats).

⁴*Ibid.*, 42-45.

⁵*Ibid.*, 81-92.

change in heart by changing laws. Little Rock today, as well as areas within the Deep South, seem to substantiate this point of view. Still, desegregation has been successful in many areas throughout the United States, including the South. Many Americans today understand something not widely accepted two generations ago—the color of one's skin will never be his or her defining characteristic. Moreover, it seems obvious to me that, in some instances, change will not occur without forcing a change in the laws. Whether this change brings about a change in attitude, or simply corrects a historical wrong, begs the question. Perhaps here lies the true legacy of the civil rights movement: black Americans now have opportunities which they only dreamed of before.

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